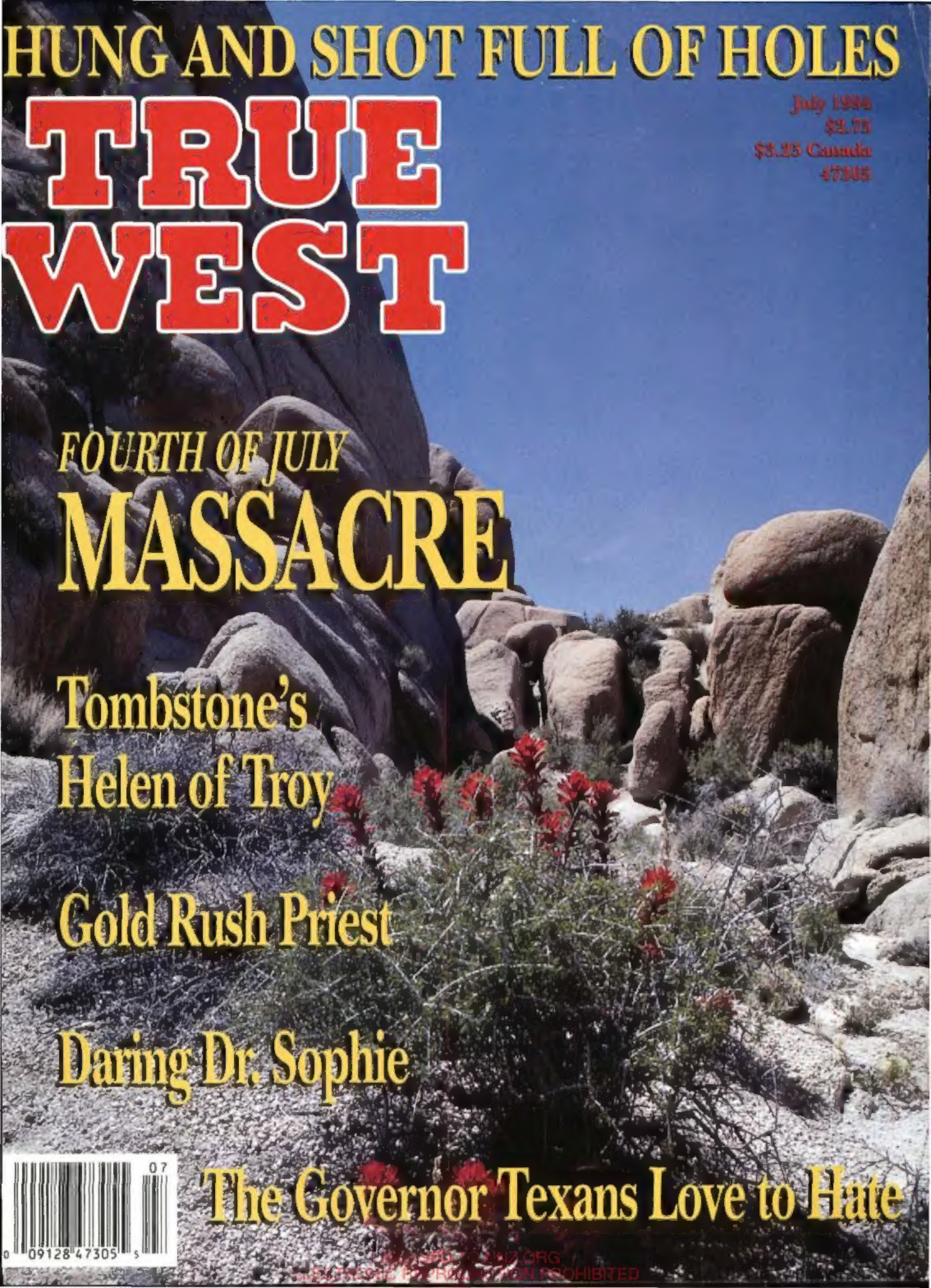
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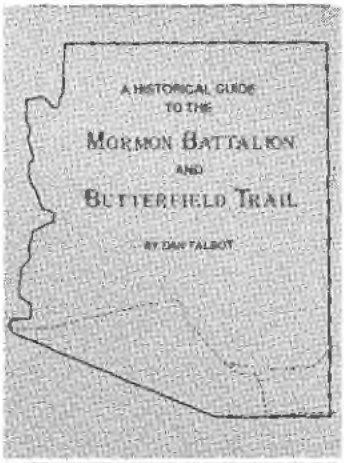

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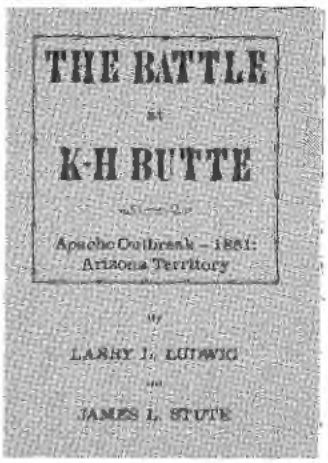

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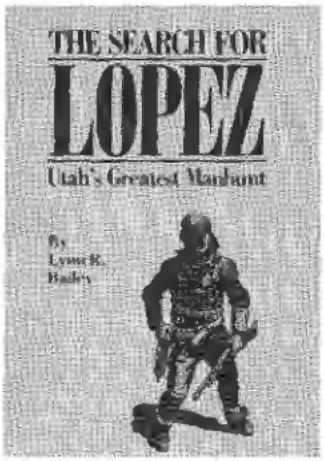

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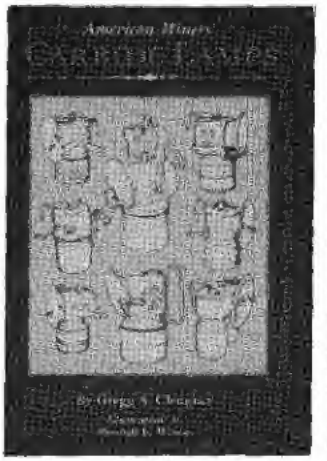

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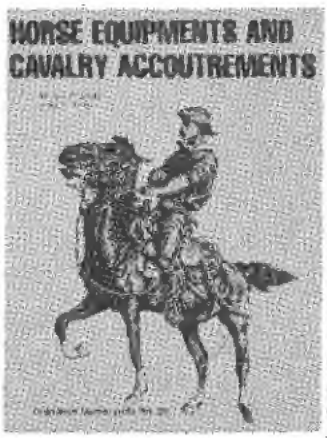

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TRUE WEST

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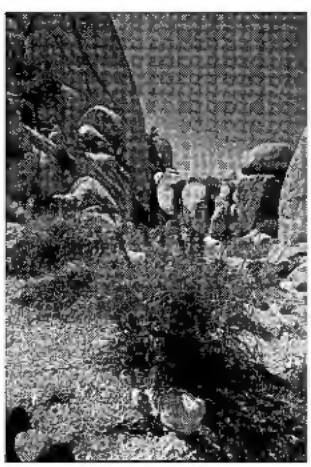

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July 1994, Volume 41, Number 7, TRUE WEST (ISSN 0041-3615) is published monthly by Western Publications, P.O. Box 2107, 205 W. 7th, Suite 202, Stillwater, OK 74074. Single copies: $2.75, plus $1.25 postage. U.S. subscription rate is $19.95 per year (12 issues per year); $37.00 for two years (24 issues). Other countries, including Canada and Mexico, please add $5.00 per year to U.S. rate to cover extra handling and postage. Please provide payment in U.S. funds drawn on a U.S. bank; personal checks, bank money orders, or cashier's checks drawn on foreign banks are not acceptable, nor is the national currency, unless the total payment is sufficient to cover all bank clearing and foreign exchange charges. Second class postage paid at Stillwater, OK 74074, and at additional mailing offices.

Canadian GST Registration Number R132182866.

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From the Editor

Howdy, folks!

I once editorialized about Mozart without getting scalped for it, so I reckon you all won't get riled if I now drag Richard III into the hallowed pages of *True West*—so long as I toss a wide enough loop to catch some western history along the way.

Richard III (1452–1485), you'll recall, was king of England from 1483 until his death. You'll also recall that his reign was slightly tarnished by the fact that he was not the legitimate heir to the throne. When Richard's brother, Edward IV died, the next in line for the throne were his thirteen- and ten-year-old sons. Richard, an ambitious young feller who would have fared well in Lincoln County, New Mexico, four centuries later, satisfied his longing for the crown the old-fashioned way; he usurped the throne and had his young nephews locked in the Tower of London.

Shortly thereafter, the little hombres disappeared forever. It was "common knowledge" that Richard had a couple of his royal minions do the little cusses in, to assure his title. The murders didn't do him a whole lot of good, however, for he was killed his own self within a couple of years, fighting Henry Tudor's bunch at the Battle of Bosworth, August 22, 1485. Henry reckoned that since the young princes were dead, he—not Richard III—was next in line to be king. Henry became Henry VII and eventually bequeathed to the world Henry VIII, without whom we wouldn't have had all the great songs and public television series.

Anyhow, after his death, Richard III was vilified by biographers and the London literary crowd—Shakespeare and his amigos among them—who bestowed on him a hunchback and suchlike physical deformities which he evidently didn't really have.

More than 125 years later, a bit of circumstantial evidence turned up that might exonerate Richard of the murders, if you squinched your eyes and held your head just right. Ever since, English historians and history buffs have argued over Richard. He was either a slavering, blood-thirsty monster, or a knight in shining armor, the innocent victim of Henry VII's own pretensions to the throne and a century of Tudor propaganda—sort of the equivalent of George Armstrong Custer in Merrie Olde Englande.

Then along comes Alison Weir's 1992 investigation, *The Princes in the Tower*. In it, Weir analyzes all the known contemporary accounts and the major histories written over the years. By objectively considering the facts and the various writers' motives, Weir builds a convincing case that contemporary accounts and the earliest historians were right, after all. The princes were, indeed, murdered and buried in the Tower of London, and their loving Uncle Richard was behind it.

Like Custer in fiction and Henry Plummer and Tom Horn in fact, Richard was recently "tried" before a modern jury. The verdict: not guilty. Weir, however, notes an important difference between modern jurors and historians. A guilty verdict requires the prosecution to convince a jury beyond any reasonable doubt that the defendant committed the crime. A historian, on the other hand, "balances probabilities" and perhaps can arrive at a more valid conclusion than a jury in a reenactment.

These days when our own history has become a battleground between traditional and revisionist historians and a circus of mock trials and Jesse James and Billy the Kid imposters, we Westerners would do well to keep Weir's assessment of historical gimmicks and her vindication of contemporary accounts and the earliest histories in mind.

John Joerschke

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Butch & Sundance, Pros & Cons

I hope you will consider publishing yet one more letter regarding "Skulduggery" by Anne Meadows and Daniel Buck (*True West*, December 1993).

By uncovering the coroner's inquest from the November 1908 gunbattle in San Vicente, Meadows and Buck have established that two English-speaking outlaws were, indeed, killed there. However, the article states that "the bandits were never identified by name." When Clyde Snow and the *NOVA* team analyzed the skeleton that was originally believed to be the Sundance Kid's, metal fragments detected in the skull seemed to indicate the person might have been shot in the head, consistent with the accounts of the killing of the two unnamed outlaws. Subsequent DNA testing proved that the skeleton could not have been either Butch or Sundance.

Meadows and Buck apparently have concluded that Snow and his colleagues must have excavated the wrong grave. Isn't it possible that they excavated the right grave, but that the two men killed at San Vicente were not Butch and Sundance, but two other American bandits that were misidentified (deliberately or not)? Couldn't the findings also support the assertions of Lula Parker Betenson, Edward Kirby, Larry Pointer, and others, that Butch and Sundance did not die in South America?

Please do not interpret this as an attack against Dan Buck and Anne Meadows. I am simply curious about why they remain convinced that the men killed at San Vicente were Butch and Sundance.—*Gary Denis, Virginia Beach, Virginia.*

Meadows and Buck Respond: The evidence supporting the conclusion that the two bandits who died and are buried in San Vicente are, in fact, Butch Cassidy and the Sundance Kid is ample but—as we always emphasize—circumstantial. In "Showdown at San Vicente," *True West* (February 1993), we conclude that "a significant body of circumstantial evidence points to Butch and Sundance as the ill-fated bandits." The evidence, which "includes the aliases and physical descriptions of the bandits, their modus operandi, and the fact that Butch and Sundance disappeared after the November 1908 shootout," is discussed in the article in some detail. Nonetheless, given the years that have passed and the nature of the documentation, the matter is clearly not settled and may never be.

The evidence that William Phillips was not Butch, that Hiram Beebe was not Sundance, and that Lula Parker Betenson was fibbing about her brother's return is also laid out at some length in "Showdown." Suffice to say that Phillips' claim to friends that he was Butch has been refuted by two separate computer comparisons of his photo with that of Butch, as well as by his wife's letter to historian Charles Kelly. There is no proof that Hiram Beebe ever even claimed to be Sundance, and his 1919 San Quentin Prison mugshot, taken when he was forty-five years old, makes any such claim preposterous: he was 5 feet 2 3/4 inches tall and was a dead ringer for Jimmy Durante. Betensen's story is difficult to prove or disprove because that's all it is—a story with no evidence. Indeed, the Parker family has a grab-bag of such tales—Butch came back, he didn't come back, he was Phillips, he wasn't Phillips, etc. Take your pick. But they can't all be true.

Finally, Mr. Denis raises the possibility that we dug up the real grave of the bandits, but they weren't Butch and Sundance. We considered that possibility, but, again, the evidence indicates otherwise.

The newspaper reports announcing that Sundance's remains had been found were based on speculative comments made by various members of the forensic team early in the case. By the time all the forensic work was completed in mid-1993 (after almost all of the *Nova* documentary had been taped), we had only one set of Caucasian bones, which matched neither Longabaugh nor Parker family DNA. The bones came out of a wooden, glass-windowed casket in a grave directly below a headstone that, per photographs we found after we had returned from Bolivia, had once featured a plaque reading, in German, "Here lies Gustav Zimmer after many years of hard work."

The Zimmer skull did have a trauma that was consistent with the type of wound reportedly suffered by the taller of the two bandits, but it could have been caused by something other than a bullet, and might have been post-mortem—that is, caused by the coffin lid collapsing onto the skull under the weight of settling earth. In any event, we found no bullets, and there was only one set of remains in the grave.

At this juncture, a reasonable conclusion, based on all the evidence, is that we dug up Gustav Zimmer, along with the scattered bones of various Indians. In view of the quality of his casket, clothing, and dental work, as well as the inscription on the plaque, we believe that Zimmer was an engineer or mine camp manager of some importance.

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Remember the Little People

I have read *True West* for many years, but this is the first time I'm sitting down and trying to make up my mind to renew my subscription.

I, for one, am getting tired of all the stories of Butch and Sundance, the Earps, Custer, and the likes. They get all the copy they need and make all the money for the writers.

Every state had better people who made the West great, but those folks just don't get the coverage. In Deadwood, South Dakota, for instance, there are many good stories that will probably never be known, like how Mount Moriah Cemetery got its name.

Remember, it's the little people who make things happen. Like "Hosstail" said when he published *True West*, it's *all* the stories of the West that make the West. Thank you for listening to the winds from North Dakota.—*DeLoyd John Baer, Mandan, North Dakota.*

Editor's Note: You're right about the importance of the "little people" and their stories. I reckon I'm between a rock and a hard place sometimes. Some *True West* readers can't get enough of the "big name" outlaws and lawmen and Indian fighters. Others can't get enough on the common folks who made the West great. I try to balance the famous and the infamous with the unknown heroes in every issue. So in this issue we have the famous (Wyatt Earp) and the infamous (the Grand Lake Massacre), but we also have stories on a Roman Catholic priest, a physician, and a businessman. As in the past, we'll maintain that variety and hope that it will continue to please readers interested in all aspects of the Old West.

Your letters and comments are welcome. Please keep letters to 300 words or less. All letters received by Western Publications will be considered for publication unless otherwise stipulated in the letter. Space does not permit us to print all letters we receive. Be sure to include full name, address, and zip code. Photos are welcome. Address all letters to Western Publications, PO Box 2107, Stillwater, OK 74076. Due to the volume of mail, we cannot forward correspondence to people whose letters appear in "Truly Western."

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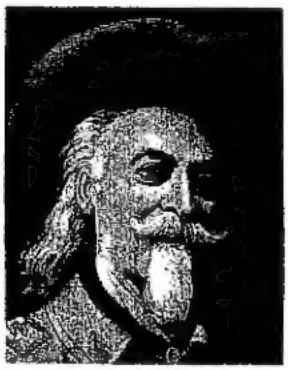

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Fort D.A. Russell

By FRED GAUPP

This summer, F.E. Warren Air Force Base at Cheyenne, Wyoming, will turn back the clock to the days when it served as a frontier outpost. On July 23 and 24, the air force base will trade nuclear missiles for muskets as it celebrates Fort D.A. Russell Days. Festivities will include living history encampments depicting nineteenth-century time periods, including the mountain man and Indian Wars eras.

Named for Brigadier General David A. Russell, killed during the Civil War at the Battle of Winchester, Virginia, Fort D.A. Russell was built in 1867 to protect workers building the Union Pacific Railroad. The fort's proximity to the railroad made it an important jumping-off point for troops campaigning in the Indian Wars. Forces from Fort D.A. Russell fought in many confrontations, including the Battle of the Rosebud in which General George Crook's troops clashed with Crazy Horse, June 17, 1876.

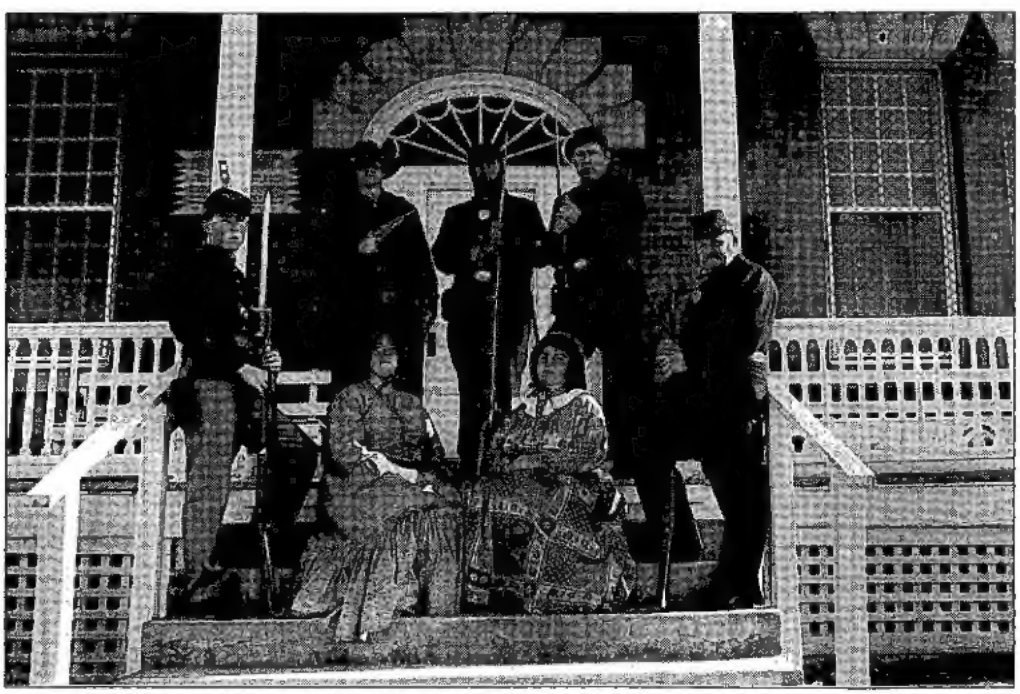
The Cheyenne depot, just outside of Fort D.A. Russell, was the largest supply depot west of the Mississippi. It supplied troops in the field as well as forts along the Bozeman Trail. Soldiers at Fort D.A. Russell were to ensure that the wagon train supply line from the depot was unbroken and that goods arrived at their destination on time. After the Indian Wars the fort continued to play an important role in the settlement of the West. Soldiers mobilized to quell uprisings on Indian reservations and helped resolve such violence as the Johnson County War and the Rock Springs "Chinese Massacre."

Author's Photo

The Warren Heritage Museum, in the building that first served as post headquarters, includes displays of both old and new military equipment.

In 1930, the post was renamed Fort F.E. Warren to honor the Wyoming senator who was instrumental in transforming it into a permanent military installation. Despite the fact that the old fort has gone from horses to intercontinental missiles, it is a designated national historic landmark and retains over 200 historic buildings.

One such building is the Warren Heritage Museum, which will be the command



Author's Photo

Reenactors will give visitors to Fort D.A. Russell Days a taste of frontier life.

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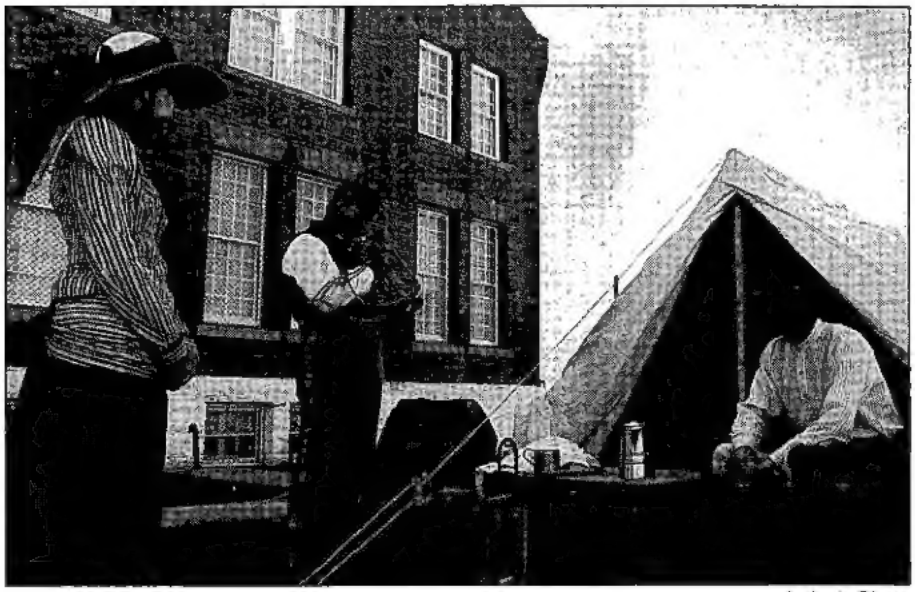
center for Fort D.A. Russell Days. The museum is in a one-hundred-year-old, two-story, colonial-style structure which served as post headquarters from 1894 to 1940. Downstairs, the museum recreates a typical married officer's quarters, while the second story houses military artifacts from the Indian Wars to Desert Storm. The air force base will offer tours of the museum and other historic buildings.

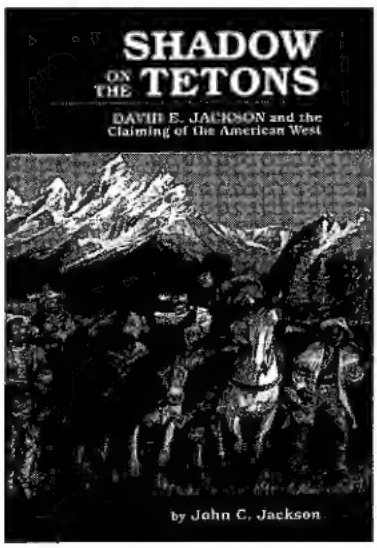
Fort D.A. Russell Days will recreate the atmosphere of the western frontier. A mountain man camp, complete with tepees, will allow visitors to experience the lives of the resourceful mountain men during a time predating the fort. Military reenactors will demonstrate army camp life during the Indian Wars, and a period dinner and dance will cap the festivities.

For more information, call the Warren Heritage Museum at (307) 775-2980. As Fort D.A. Russell Days is in conjunction with Cheyenne Frontier Days, visitors should make plans in advance. They may contact the Cheyenne Visitors Bureau at 1-800-426-5009 for lodging information.



Author's Photo

Living history encampments depicting military life will be a common sight during Fort D.A. Russell Days.



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NOLA

Members of the National Association for Outlaw and Lawman History (NOLA) will trek to Johnson County War country as part of their annual summer rendezvous July 27–30 in Casper, Wyoming. Rendezvous planners also have slated tours of Wild Bunch and military sites.

Bill O'Neal, NOLA program chairman, said events begin Wednesday, July 27, at the Casper Hilton Inn with a board meeting for members. A reception will follow.

Historical programs begin Thursday at 9:00 A.M. Ed Kirby, an expert on Butch Cassidy and his associates, will present "The Wild Bunch"; outlaw-lawman historian Robert K. DeArment is scheduled to talk about "Frank Canton and the Johnson County War"; and O'Neal plans to speak on "The Tragedy of Ten-Sleep." A round-table discussion, "Gunfighter Gossip," will follow.

WOLA CONVENTION

Deadwood, South Dakota, earned a reputation as one of the toughest towns in the Old West. The town grew from the Black Hills gold rush and earned fame as the place where assassin Jack McCall killed gunfighter James Butler "Wild Bill" Hickok in 1876. Now members of the Western Outlaw-Lawman History Association (WOLA) will hold their annual convention in that historic city, July 20–23.

Convention headquarters is the Deadwood Gulch Resort Casino-Hotel. Registration is set there from noon to 6:00 P.M., Wednesday, July 20. Western Publications, publisher of *Old West* and *True West* magazines, will host a reception that afternoon. Following dinner at the Seth Bullock Hotel, participants may watch a reenactment of Hickok's assassination and see the "Trial of Jack McCall."

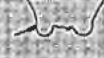
Speaker programs begin Thursday at 8:30 A.M. Keynote speaker Dr. Murray Carroll will speak on Black Hills outlaws and lawmen, and Wyatt Earp expert Glenn G. Boyer will present "The Earp Curse—On the Trail of Wyatt Earp." That afternoon, cowboy and Johnson County, Wyoming, resident Mark Harvey will present "Civil War in Wyoming—the Johnson County War." Historian Elnora L. Frye will follow with a program about outlaws in the Wyoming territorial prison at Laramie. Author Robert Rybolt will conclude the day's programs with a presentation about Jack McCall. An author's autograph party is set for Thursday evening.

Friday WOLANs take a bus tour to Belle Fourche, South Dakota, site of a Wild Bunch bank robbery; the Heritage Center at Spearfish, South Dakota; Sundance, Wyoming, from which the Sundance Kid took his name; and Devil's Tower, Wyoming, for an evening barbecue. The party will return to Deadwood that night.

Historical programs continue Saturday at 8:30 A.M. Wild Bunch historians Anne Meadows and Dan Buck are scheduled to talk about researching Butch Cassidy and the Sundance Kid in South America, and Donna B. Ernst, author of *Sundance, My Uncle*, is set to follow with a program about the Sundance Kid in Canada. Don Weibert, author of *Montana's Last Desperado*, is scheduled to talk about his family's association with outlaws, including members of the Wild Bunch.

Saturday afternoon Barbara Hegne, author of *Border Outlaws of Montana, North Dakota, and Canada*, and Robert Mann, Montana outlaw historian, will speak on Montana outlaws. Larry D. Ball, author of *Desert Lawmen*, will follow with "The Reward System in the Southwest." The final speaker will be John J. Simpson, a Winner, South Dakota, attorney, who will talk about Dakota outlaw Jack Sully. An awards banquet will conclude the convention that evening.

The deadline for advance registration is June 15. For more information on events and registration contact WOLA, 500 West Walnut Street, Rawlins, Wyoming 82301. Phone numbers are (307) 324-8822 or (406) 363-2662.



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O'Neal said a trip to nearby historic Fort Casper will cap the day. "Fort Casper is a beautifully restored fort," said O'Neal. "We'll tour the grounds and then have a barbecue dinner at the fort that night."

Programs continue Friday with Western artifacts collector David Stroud presenting "Six-Guns, Sabers, and other Western Collectibles." Retired Casper physician Dr. Ron Lund will present "Scalpels, Sutures, and Splints," a talk about the medical treatment of gunfighters and other Westerners. A program about western saloons is also scheduled.

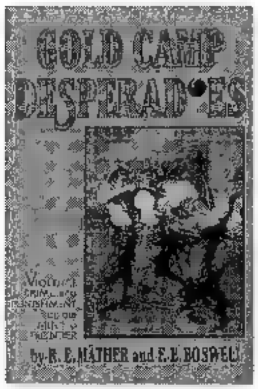
On Friday, NOLAns plan a field trip into Johnson County, where ranchers and hired gunmen, known as the Invaders, launched an attack on suspected rustlers in April 1892. After killing Nate Champion and Nick Ray and incurring the wrath of local citizens, the Invaders forted up at the TA Ranch and held off as many as 300 attackers until a cavalry detachment intervened. O'Neal said NOLA members will tour the TA Ranch, have lunch there, then travel to Hole-in-the-Wall, the famed hideout for Cassidy's Wild Bunch.

On Saturday, members may take an optional field trip to nearby Oregon Trail sites. They will also get a chance to see where ranchers hanged suspected rustlers Ella "Cattle Kate" Watson and Jim Averell in 1889.

NOLAns will end their rendezvous with an awards banquet at the hotel that evening. O'Neal's wife, Karon, will provide entertainment with a program about music in the West.

Interested persons other than NOLA members are welcome to attend. For more information about events and registration, call O'Neal at (903) 693-5266. For hotel reservation information call the Casper Hilton Inn, (307) 266-6000.

Western Roundup is a report on places to go and things to see associated with the history of the Old West. Submissions are welcome. Information on scheduled events should be submitted at least four months prior to the event. Items on historic places are also welcome. Send information including photos to: Western Roundup, Western Publications, P O Box 2107, Stillwater, OK 74076



Outlaws and Lawmen

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Cody Kills Tall Bull

By Bill O'Neal

125 Years Ago

July 3, 1869; Hell Canyon, Arizona. Three noncommissioned officers distinguished themselves during a furious action between Apaches and Company L of the Eighth Cavalry. First Sergeant Sanford Bradbury, Corporal Paul Haupt, and Corporal John J. Mitchell were later awarded Medals of Honor.

July 11, 1869; Summit Springs, Colorado. In June Major Eugene Carr, whom Indians knew as "War Eagle," led a large column west out of Fort McPherson, Nebraska, in search of Chief Tall Bull's band of Cheyenne Dog Soldiers. The "Republican River Expedition" specifically hoped to rescue two white women, Mrs. Susanna Alderdice and Mrs. Maria Weichel, whom the Indians had captured in Kansas during a May 20 raid. The force consisted of nearly 500 men including three companies of Pawnee scouts under Frank and Luther North. The guide was Buffalo Bill Cody, Carr's favorite scout. The column had a few indecisive clashes, and Carr pressed on through oppressive heat as his effective force dwindled to 300 men.

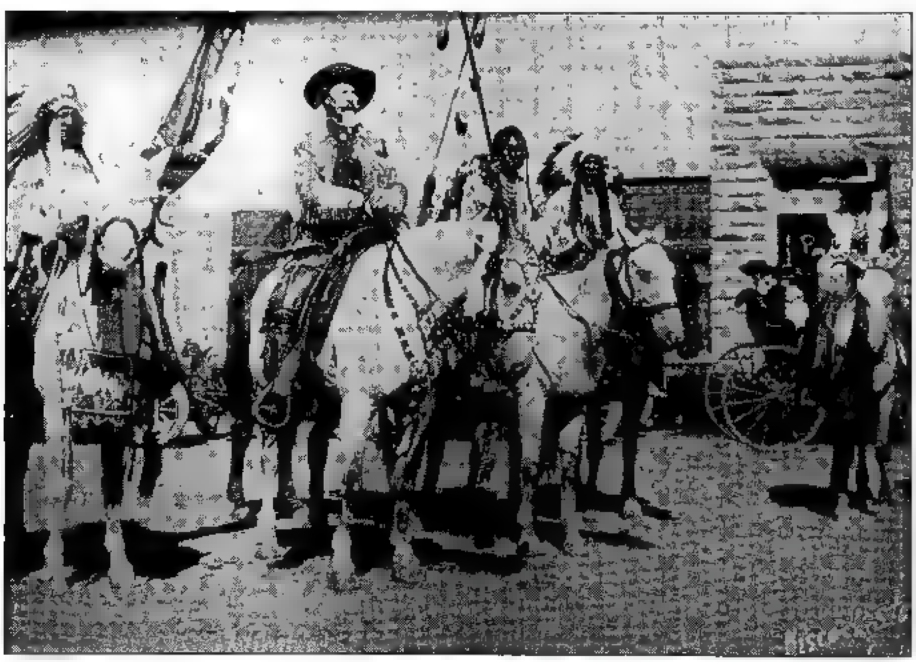
Cody at last located the camp, eighty-four lodges strong, at Summit Springs in northeastern Colorado. While waiting for high waters of the South Platte River to subside, the Cheyennes and a few Sioux and Arapaho allies had erected their tepees in a narrow valley bordered by sand hills.

Carr's force split to reconnoiter, but the units reunited just before the charge at 2:00 P.M. Carr aligned his men in two ranks. The front rank contained two troops, which Carr divided into three parallel columns, double file, with the Pawnees on the left. Carr took command of the second rank and ordered a rapid advance.

The troopers rode toward the Indian camp in open terrain, but a storm blowing toward Carr's men obliterated the sound of hoofbeats. At last a fifteen-year-old boy tending the horse herd spotted the soldiers and galloped toward the camp, but Carr ordered his bugler to sound the charge. The herder made it to the south end of the village just as the cavalrymen struck from the north. The Indians panicked and tried to flee, offering little organized resistance.

Mrs. Alderdice was brained with a tomahawk, but Mrs. Weichell, although wounded, broke free and was rescued. Carr's force killed fifty-two Indian men, women, and children, and captured seventeen women and children. The soldiers also seized a variety of weapons. They burned all of the lodges, recovered $1,300 stolen in raids ($900 of which was given to Mrs. Weichel), and rounded up 274 horses and 144 mules.

Completing the devastation of the Dog Soldiers, Tall Bull himself was slain. Members of the Fifth Cavalry always stated that Bill Cody killed him. According to their accounts, pursuit details had already ridden out and Indian possessions were burning when Tall Bull



Courtesy Standard Studio, Lampasas, Texas

Buffalo Bill Cody posing with Indians from his Wild West show. As an army scout in 1869, Cody was on less friendly terms with Cheyenne Dog Soldiers, and he killed Chief Tall Bull at the Battle of Summit Springs.

returned with several warriors, Cody was impressed with the chief's war pony and secluded himself in a ravine. When the Indian leader rode by at a distance of thirty yards, Cody shot him from the saddle. The horse bolted ahead, but soldiers retrieved it. A sergeant named McGrath, who had seen Cody kill Tall Bull, turned the animal over to the scout. Cody christened his new mount "Tall Bull," and won many a horse race with the steed.

The Battle of Summit Springs was a classic encounter of the Indian Wars. The sweeping cavalry charge, the rescue of a white woman, the death of a great chief, and the overall victory resulted in widespread praise for Carr and shattered Indian resistance in the area.

July 23, 1869; Hays City, Kansas. A vigilante committee, of which A.B. Webster was a leader, ordered troublemakers Samuel Strawhim and Joe Weiss out of town. About 3:00 P.M. on July 23, Strawhim and Weiss entered the post office where Webster worked as a clerk. The two ruffians, who were teamsters from Illinois, cursed and slapped Webster, repeatedly threatening his life. Weiss, a former convict, then drew a gun, but Webster produced his own weapon and began firing. Webster shot Weiss fatally in the stomach, but Strawhim scampered to safety.

July 1869; Colorado. A drunken Wild Bill Hickok became involved in a shooting fray, killing no one but receiving three flesh wounds himself. Soon recovering, Hickok pinned on a badge in Hays City, shot an inebriated soldier to death in August, then killed Samuel Strawhim the following month.

100 Years Ago

June 27, 1894; Muskogee, Oklahoma. Horse thief Tom Smith shot his way past a posse, bolting to safety after killing three deputies and wounding two others.

The American Indian

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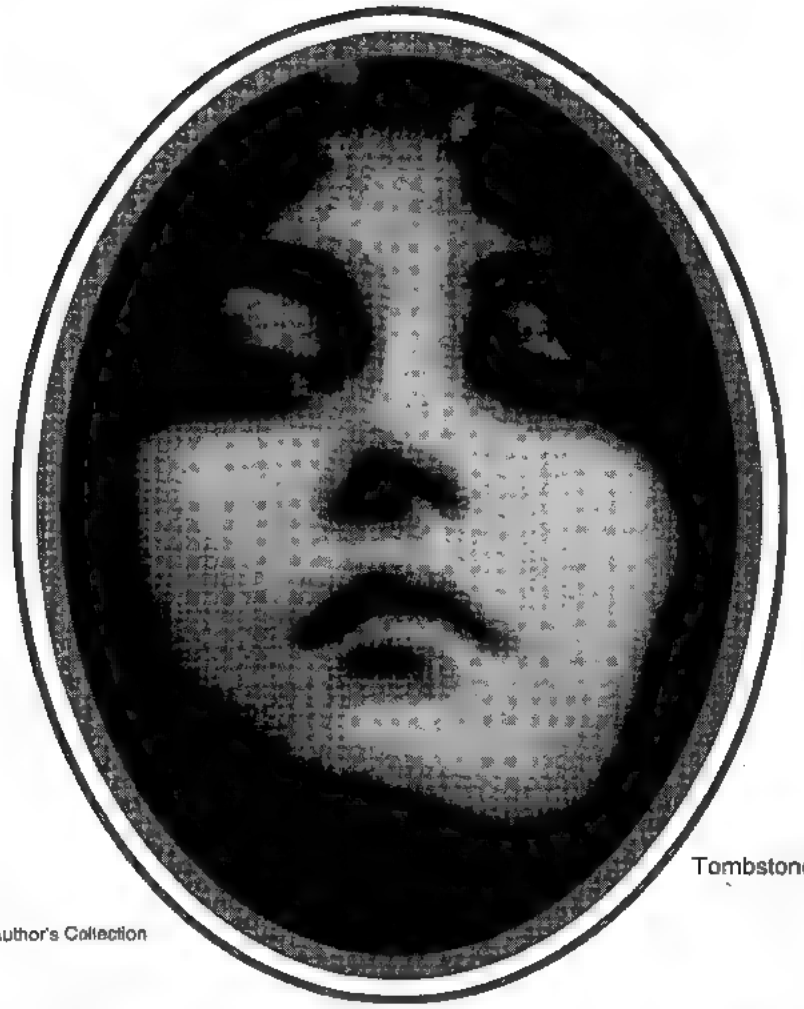

Josephine Sarah Marcus, Tombstone's Helen of Troy, in 1880.

Author's Collection

PART XII: TOMBSTONE'S HELEN OF TROY

WYATT EARP

Legendary American

By GLENN G. BOYER

"Back of all the fighting, the killing and even Wyatt's duty as a peace officer, the impelling force of his destiny was the nature of his acquisition and association in the case of Johnny Behan's girl. That relationship is the key to the whole yarn of Tombstone."—Stuart Lake to Ira Rich Kent, editor-in-chief of Houghton Mifflin, Company, February 13, 1930, while working on Wyatt Earp, Frontier Marshal.

• • •

Josephine Marcus Earp's desire to gain belated respectability in her last years prevented author Stuart Lake from telling the full Tombstone story. He justly has been accused of dramatics and fictionalization, but he knew almost the entire story. The only key information he lacked was that Wyatt had a wife—Mattie—at Tombstone, whom he deserted for Josie.

Lake's statement to Kent, however, reveals his comprehension of Josephine's significance. He frantically maneuvered to overcome her objections to his "blood and thunder," as she called *Wyatt Earp, Frontier Marshal*, as well as Kent's decision to avoid blowing her cover in the book. In his attempts to overturn that decision, Lake even went to the extreme of telling Kent that Josie was insane. She went to Boston to see Kent personally, and he wrote Lake on October 23, 1930, saying, "She sat at my desk for a better part of an hour, tears rolling down her cheeks in her emotion."

Poor Lake. He didn't have a chance in the 1930s against that conniving woman any more than Wyatt Earp had in the 1880s, once she had set her sights on him. All Lake got away with telling about her at Tombstone was that Wyatt stole Behan's girl.

That girl's eyes were hard to read, a subtle schemer's eyes—deep brown orbs, almost black, strongly alive, though veiled, flashing spirit while disdainfully viewing lesser mortals—men; enigmatic and secretive eyes, like the Mona Lisa's, and even a hint of Lisa's smile played about her lips, further projecting a secretive nature.

In her presence I was prompted to wonder, "What does she *really* know?" I was long fascinated by Lake's glowing myth about her late husband. I was only beginning to suspect that some pervasive mystery, withheld from Lake, was incarcerated in the memories of a few survivors, mainly Josie. She had to be the one person who really knew the man, and she jealously guarded her true memories.

I wonder what she would have thought if she had known that the young aviation cadet her friends had brought to "see the elephant" was destined to complete and publish her memoir (*I Married Wyatt Earp*) many years later. At the time she felt secure in a belief that the memoir was a dead project, not publishable unless frank and truthful, and if that, then too embarrassing for her to stomach. She wanted a "nice clean story." She had placed a curse on the whole thing, she told her amanuensis, Mabel Earp Cason. I can believe it.

That girl's eyes were hard to read, a subtle schemer's eyes—deep brown orbs, almost black, strongly alive, though veiled, flashing spirit while disdainfully viewing lesser mortals—men; enigmatic and secretive eyes, like the Mona Lisa's, and even a hint of Lisa's smile played about her lips, further projecting a secretive nature.

When she was twenty, some sixty-three years earlier, it was a different story. She didn't give a damn for anything but having her way. Different even, I discovered to my consternation, than I was able to tell it in the footnotes I appended to her memoir in an effort to restrain her high-flying whitewashing. I've learned a great deal more since. In 1979, three years after the publication of her memoir, I obtained the Ten Eyck papers from the son of a lifelong friend of the Earps who had been at Tombstone with them, a man intimate with them both until the day of Josie's death; in fact, he had been at Josie's side when she died. (Unfortunately, it was his emphatic wish never to have the man behind the pseudonym Ten Eyck revealed, to which I had to pledge myself to his son in order to obtain his father's papers.)

From that material I learned that Josie's affair with Wyatt Earp started in earnest much later in the fateful year of 1881 than I assumed. Therefore, it was not jealousy that drove her fiancé, Sheriff Johnny Behan, to welsh on his promise to make Wyatt Earp his undersheriff in an arrangement which would have Wyatt handling the rough stuff and Behan the office. I had been troubled over that when I edited her memoir, because in that scenario her defection would have had to occur shortly after her arrival in Tombstone, slightly over three months. That was too soon for her infatuation to die, it seemed.

SO JOSEPHINE wasn't at the root of Johnny's initial deceitful dealing with Wyatt. The fact is that Behan simply suckered Wyatt when he persuaded him to withdraw his name as an applicant for the sheriff's position in order to doubly assure his own appointment, even though he knew that national political powerhouse James G. Blaine was pushing his ambition. With Blaine behind him, Behan was sure to get the appointment and, therefore, he needlessly antagonized Wyatt. Thereafter, with Wells, Fargo's backing, Wyatt maneuvered to win the position the first time it became elective in November 1882.

Before the election, however, Wyatt's political aspirations were sunk by his involvement in much violence—violence due to Behan's supine administration of the sheriff's office and outright collusion with organized crime. Behan's awareness of Wyatt's political plans

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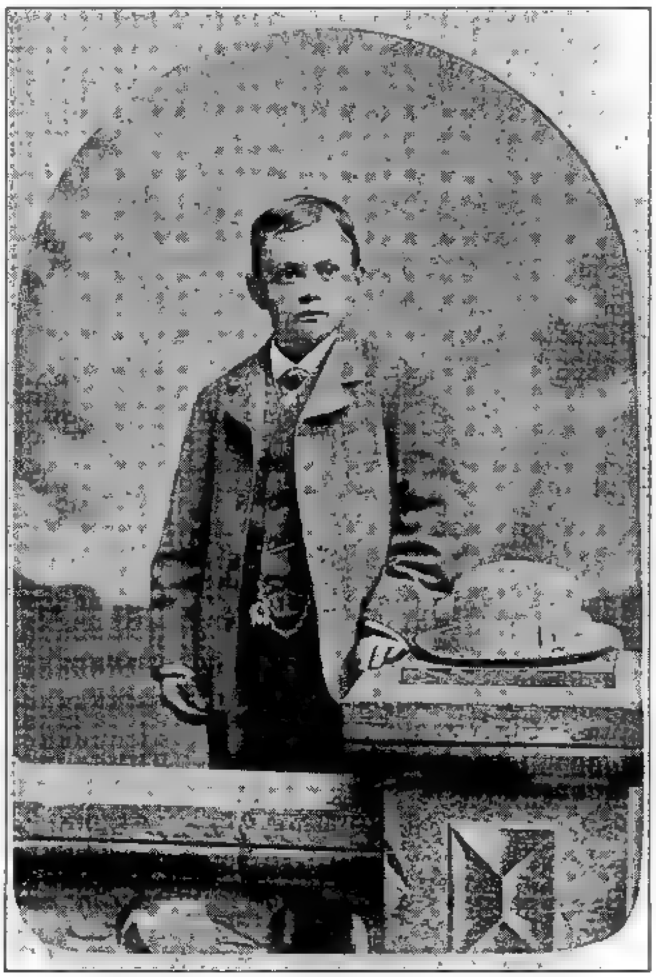
partially accounts for his initial attempts to stymie Wyatt's law enforcement efforts, which would have brought the Earp name good publicity. Another motive was that payoffs from Curly Bill's gang, and others, augmented Behan's income. Josie observed payoffs in the form of rigged poker games at their house when she was Behan's concubine. Other payoffs were made outright. In addition, several of the gang who had been involved in the contrived stagecoach holdup that covered an attempt to kill Bob Paul knew that Behan had engineered the job. He couldn't afford an undersheriff who would seriously investigate crime in Cochise County; Behan himself might have been one of the first prosecuted.

Ten Eyck, who was close to both Behan and undersheriff Harry Woods before he discovered how corrupt they really were, often saw outlaw kingpin Curly Bill drop in at the office of the Tombstone *Nugget*, of which Woods was editor. Curly's visits were always at night. He hobnobbed with Woods and Behan, made plans with them, and delivered payoffs. Curly had been the first person Ten Eyck met in southeast Arizona after stepping off the train at Benson, green as grass. The outlaw adopted the "Dude Curiosity" from the East and took him under his wing. Those three didn't hesitate to be frank around Ten Eyck. (In fact, I suspect that Ten Eyck was more heavily involved in their shenanigans than he admitted, which may have accounted for his adamant demand to remain anonymous. His prominent family connections, at the peak of national politics, could have been embarrassed by a black sheep almost to the day of his death.)



Author's Collection

Albert Behan as he looked when Josephine Marcus was his "mother pro-tem."

Even though the key event, Josie's dropping Behan for Wyatt, occurred later than I had thought, the Earps' downfall at Tombstone was directly traceable to her. Not overly flattering to Wyatt is the fact that he only netted Josie because Behan refused to keep his promise to marry her. Nor is it flattering that, finding herself pregnant, probably but not necessarily by Behan, who refused to marry her, Josie prospected for other eligible men before Wyatt, including his more sophisticated and better educated bosom pal, Doc Holliday. Failing all the way around, she wangled an abortion by Tombstone's famous gunshot surgeon, George Goodfellow.

Even before her abortion she was being seen at social affairs with Wyatt Earp, once running directly into Behan and chiding him for not taking her out and forcing her to go with others. Behan tried to put a good face on it but must have been burning up inside. The situation didn't hasten the Earps' showdown with the cowboys, but it is absolutely the key to its aftermath in which Behan tried to have Wyatt Earp hanged or jailed. Behan's jealous retaliation, including attempts on Wyatt's life, the crippling of Virgil Earp, and the murder of Morgan Earp, prompted the unprecedented vendetta that Wyatt, who would have loved to kill Behan himself, launched against the sheriff's pawns.

That briefly describes the inside situation in the months before the gunfight on October 26, 1881. It explains why Behan was anxious to see Wyatt Earp killed in that shootout, or jailed or hanged after surviving it. The series of events leading to the shooting had been the rigged Kinnear stagecoach holdup on March 15, 1881, and failed attempt on the life of Bob Paul; the Earps' pursuit of the robbers and the capture and escape of Luther King; Wyatt's plan to capture the other robbers using Wells, Fargo rewards as bait for Ike Clanton to betray their whereabouts; Ike's coming under the suspicion of his own gang and his fears that Curly Bill might kill him; Ike's clumsy attempt to clear his skirts with Curly Bill by admitting he dealt with Wyatt Earp, but only to entrap the Earps and their posses in an ambush; and Ike's drunken blabbing to Doc Holliday that he had enticed Earp posses out on wild goose chases only to ambush them. After that statement, Doc told Ike that his plan had backfired disastrously as Doc had personally burned down Ike's old man with a Winchester while out on one of those wild goose chases.

Shortly before that, Curly Bill had delivered an ultimatum to Ike with

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respect to the Earps: "Regardless of who had done what, Ike had best put the Earps out of the way to clear his skirts." That would suit Curly regardless of how a showdown came out. The Earps were a problem, but so was half-smart Ike. Josie claimed she learned that Curly promised Ike he would bring several others to help in a showdown, but actually planned not to show up.

Josie learned that because she had become fast friends with Marietta Duarte, who came to town to marry outlaw stalwart, Pete Spencer. Josie and Marietta traveled on the same train and stagecoach from Tucson to Tombstone. Thereafter, Marietta worked for Addie Bourland, another close friend of Josie's, who was one of the best customers of Addie's millinery shop. Marietta, by way of Addie, warned Josie of the outlaws' plans to kill the Earps, and Josie quickly told Wyatt.

Spencer was privy to most of the gang's doings. In fact he and Frank Stilwell, one of Behan's deputies, were two of the unidentified four other participants in the Kinnear stage holdup, Curly Bill and Ike Clanton having been the other two. Spencer was aware of both Curly Bill's ultimatum to Ike and his plan to leave Ike holding the bag. In any case, Ike planned a showdown with the Earps.

Marietta was not hesitant to betray her husband's confidences, because she had soon learned he was a wife beater. He even beat her mother, who lived with them. The counter-productivity of his brutality would become even more apparent some months later when Marietta, under oath before a coroner's jury, would accuse Spencer (or Spence as she and everyone else seems to have called him) of murder.

Behan's final split with Josie occurred shortly before the so-called gunfight at the OK Corral. He sent Josie to San Francisco with his son, Albert, to whom she had become very much a mother, to have his hearing impairment treated. He may also have desired to get Josie away from Wyatt, because, like many other men before him, he decided he wanted her as soon as it appeared he might be losing her for good

Johnny had a little bad luck in that respect. Josie and Albert, elated at the thought of surprising Johnny, arrived back in Tombstone unannounced after dark and went up to the house. They slipped in quietly, lit a lamp and went looking for the master and chief, lonely in his bed.

Wyatt was conscience-stricken at the thought of deserting Mattie, and Josie wasn't going to sell out too cheap this time. She was determined to stay in Tombstone until he agreed to leave with her, deserting Mattie. The impasse kept him and the rest of the Earps in Tombstone long after they should have pulled out.

Albert Behan, who had a very Irish sense of humor, recalled the affair. "It scared hell out of me at the time. I didn't know what was going on with Josie screaming fit to wake up the dead, Pa in his birthday suit and some gal tryin' to get her clothes on—it was the first time I ever saw a naked woman and I didn't miss a thing."

Albert always thought it was funny as hell but knew better than to let Josie know he did. She dragged Albert down the street to the Harry Joneses' house, where they spent the night, and the next day she threw Johnny out of "her" house. She had bought it with "her" money, hadn't she? Johnny wasn't convinced, as late as 1887, when he was trying to evict Doc Goodfellow, who was renting "her" house. Albert was pleased because he ended up living on the ranch of Tom Dunbar, brother of Johnny's partner in the Dexter Corral, John Dunbar.

The incident left Josie free to go after Wyatt in earnest, wife or no wife, and she did. Wyatt was conscience-stricken at the thought of deserting Mattie, and Josie wasn't going to sell out too cheap this time. She was determined to stay in Tombstone until he agreed to leave with her, deserting Mattie. The impasse kept him and the rest of the Earps in Tombstone long after they should have pulled out.

This hasn't been the usual heroic and dramatic analysis of why Wyatt Earp cleaned up Southeast Arizona, but it's the straight story at last. He did it inadvertently because he had been entrapped by a young temptress. He unwisely lingered until his brothers were the victims of assassination attempts, then stayed to even the score. It made him famous.

That brings events up to the Gunfight at the OK Corral, which actually happened down the street a ways from the corral. Admittedly, "The Gunfight on Lot 2, Block 7," strikes out in the catchy-name category. In any case, it started ninety feet west of the rear entrance of Montgomery and Benson's OK Corral, just west of Fly's Boarding House. It happened there because that's where Doc Holliday was boarding, and Ike decided to get Doc first of all

The morning of the gunfight Ike was drunk and staggering from saloon to saloon, a six-shooter stuck in his belt and a rifle in his hand, bellowing what he was going to do to the Earps and Doc when they showed on the streets. Several people took that information to the Earps. Virgil and Morgan Earp sneaked up on Ike. Virgil patted him on the head with the barrel of his six-shooter and dragged him down to Judge Wallace's court, where he was fined twenty-five dollars for carrying weapons. While there he bragged that if he had been a second sooner the town would be having a coroner's inquest on Virgil.

A couple of other interesting developments took place while they were waiting for Virgil Earp to find the judge. Wyatt and Morgan kept tabs on Ike, who blustered that fight was his racket and he would fight

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the Earps anywhere. Morgan offered him a gun, but R.J. Campbell, clerk of the board of supervisors and a deputy sheriff, restrained him. Wyatt then delivered a few pointed words to Ike, worthy of repeating because they are the clue to everything he did that day. He said to Ike, "You damned dirty cowthief, you have been threatening our lives and I know it. I think I would be justified in shooting you down any place I should meet you."

Later, in another court, while being examined on a murder charge, he explained his feelings. "I was tired of being threatened by Ike Clanton and his gang and believe from what he said to me and others and from their movements, that they intended to assassinate me the first chance they had, and I thought that if I had to fight for my life with them I had better make them face me in an open fight." That, coupled with what the Earps knew in advance from Josie, explains everything that followed that day.

A few minutes later Wyatt left the court and ran into Tom McLaury outside, invited him to go after his pistol, and when he refused knocked him down twice with the barrel of a six-shooter. (Whether Tom had a pistol is uncertain.)

Author's Collection

Tom McLaury, Doc Holliday's victim at the gunfight.

AFTER IKE WAS fined and released, Frank McLaury and Billy Clanton hit town and went with him to Fly's boarding house. McLaury and Clanton waited outside while Ike, carrying a rifle, went in looking for Doc. He ran into Doc's mistress, Kate, who lied that Doc had already gone to town. Ike then left, but all of them were to return later, obviously waiting for Doc to come home. Doc did go uptown then, to borrow Virgil Earp's Wells, Fargo shotgun and even the odds against Ike's rifle.

The cowboys next went to Spangenberg's Gun Shop and were inside when Wyatt Earp, who had been watching them from Hafford's Saloon just down the street, went up and backed Frank McLaury's horse off the boardwalk. The animal was loosely hitched and had strayed onto the walk, and Wyatt was again looking for an opportunity to goad the crowd into a fight. They came pouring out, full of mouth, but not ready to make a false move, much to Wyatt's chagrin. Shortly his brother Virgil came down to rescue him, carrying a double-barreled shotgun. In view of how effective Wyatt was with a .45 a short while later, it is possible he could have shot all four cowboys himself if he could have got the fight started there. Obviously he was confident that he could, or at least desperate enough to try it. A previously unknown fact is that, in case it had taken more than six shots to finish them off, Wyatt had a second pistol in his left pocket, as a prudent gunfighter would under such circumstances. His pockets were leather lined pistol scabbards in a specially made mackinaw-length canvas coat he had ordered for riding the hinterlands among catclaw and mesquite. (I saw this coat, much frayed and with its blue material faded to almost white from much use, in possession of Wyatt's nephew, Bill Miller.)

The four cowboys, Ike and Billy Clanton and Frank and Tom McLaury, then moved to several corrals, obviously expecting the arrival of Curly Bill's promised reinforcements. They were reported having a confab in Dunbar and Behan's Corral, had been to the West End Corral, and moved from the Dexter, across the street through the OK Corral and back to Fly's place. A stranger in town brought word to Virgil Earp that he had overheard them say they intended to kill the marshal. Others brought word to Virgil Earp, who, as chief of police, was the marshal referred to, that they were then on the street near Fly's looking for trouble.

Johnny Behan had told Virgil Earp he would go down and disarm them, and that they wouldn't injure him (obviously). He was gone some fifteen minutes during which time he had a close conversation with Frank McLaury and the others. Ike later testified that, in effect, Frank had refused to give up his arms unless Behan first disarmed "the other party," meaning the chief of police and his policemen. Judge Spicer, not surprisingly, later characterized that as "A proposition both monstrous and startling."

Reluctantly, as a last resort, Virgil gathered his brothers and Doc Holliday to support him and went down to adjust the case of four desperate outlaws, who often have been converted to saints in various forerunners of revisionist histories. Thus the Earps and Doc went north on Fourth from Hafford's Saloon on the northeast corner of Fourth and Allen streets, turned west on Fremont, moving into the road when they reached a ditch that the Huachuca Water Company had dug to install pipes. When they were still on the sidewalk in front of Bauer's Butcher Shop, a Mrs. King heard Wyatt say to Doc, "Let 'em have it,"

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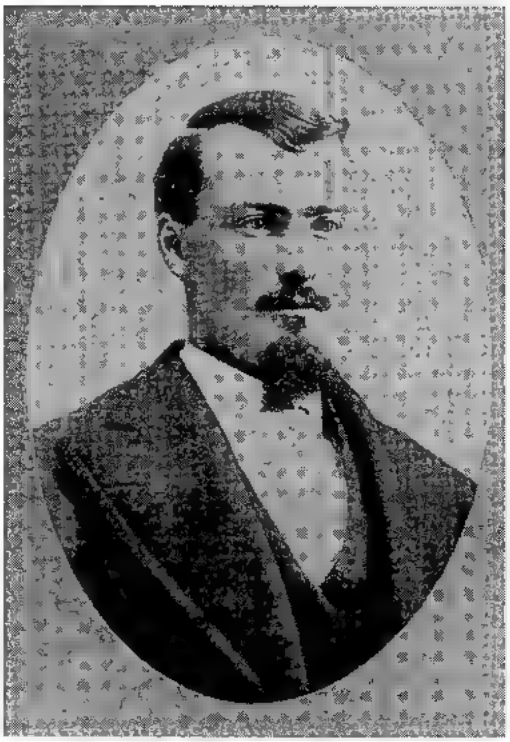
to which she testified Doc said, "All right."

Wyatt said Mrs. King had caught the end of a remark he made to Doc, as they were not sure Ike's expected reinforcements wouldn't actually show up. He claimed he said, "If you see any of those s.o.b.'s use that scatter-gun and let 'em have it." That would seem to be true, as Doc posted himself at the edge of the shooting as he would have done if acting as a lookout.

Very significantly, Wyatt also admitted privately that he had earlier told Doc, "It's going to be up to you and me to get rid of those bastards. Neither Morg or Virg would kill a fly!" That's plenty to establish the mind-set of the two who did the actual killing.

Doc's account of what happened, given to Ten Eyck in 1885, covers what happened as well as need be, and better and more logically than it's ever been done. Doc said, "Wyatt wasn't sure of either Morg or Virg in a fight after they had a chance to beef Ike and let him get off that morning. Warren [the youngest Earp brother] was the one mean enough to kill.



Author's Collection

Frank McLaury, whom Wyatt killed at the OK Corral gunfight.

"THE WAY WYATT put it was, 'Hell, Virg and Morg had their chance to burn down Ike this A.M. and didn't. It'll be up to us.' He was a cool one with a fight brewing and had it all figured out ahead of time. He told me, 'You keep us all covered with the scatter-gun in case some of those others are down there. I'll handle Ike and his crowd.' He did too. If Ike had been five feet farther away when it started, he wouldn't have had time to grab Wyatt and he'd have got him too.

"We walked down the middle of the road and saw them down there with Behan. That little yellow son of a bitch skedaddled before the shooting started. There wasn't any grit in him. He lied and said he saw the whole thing. He didn't see a damn thing unless he had eyes in the back of his head.

"Wyatt said, 'You sons of bitches have been looking for a fight and now you can have it.' They had their hands on their six-shooters and started to draw them when Wyatt plugged Frank and Billy so quick they didn't know what happened. I remember how both their mouths popped open when the slugs knocked the wind out of them."

Doc went on to say, "Wyatt tried to plug Ike too, but the bastard grabbed him and threw him off balance. That testimony of Wyatt's about telling Ike to get the hell out of there was all bullshit to make it look good. Fitch [Tom Fitch, Wyatt's lawyer] thought that up for him. Wyatt told me he'd have burned down Ike whether he had a gun or not. Anyhow Ike got away. He ran in the front of Fly's. By then I'd stepped out further in the road or I might have got him, but I figured I'd better hang onto that buckshot in case we needed it and didn't have time to shift the gun around and jerk my Colt before Ike was inside.

"There wasn't any fight left in that crowd till somebody [probably Behan] took a pot shot at us from behind Fly's somewhere and Morg turned that way and gave Tom McLaury a chance to shoot him in the back over the horse he dodged behind. It was Frank's horse and he must have trained that son of a bitch for shooting off of, like the cavalry, because he didn't run when the shooting started and was still there. The other horse ran. So did Frank's horse when Tom shot his six-shooter practically in its ear. It jumped away and that's when I let Tom have it—both barrels.

"Up till he saw a chance to sneak off a shot, Tom didn't even have a gun in his hand, or I'd have shot him before I did. He was standing there with his mouth open, about like Morg. And Virg still had my cane in his hand like an idiot, even after Wyatt got the job done for him.

"By then Billy Clanton was slumped down at the corner of that little building next to Fly's, but still trying to shoot; Morg was thrashing around on the ground, and Frank headed across the road; Christ knows how he did it with a big lead pill in his gut. I don't think I could. He even managed to take a shot at me, but he could hardly hold up his pistol. Wyatt and I both shot him at the same time, I guess. I tossed that scatter-gun down as soon as I emptied it and had my pistol out. Frank's shot went wild and hit me in the pistol scabbard on my left hip and left a hell of a bruise.

"That was about the end of it. Behan tried to arrest us and Wyatt told him to go to hell. You know as much as I do about the rest of it. You heard it in court."

About the testimony, Ten Eyck said, "Everybody lied." I suspect that, despite this or any other testimony, the only unarguable matter regarding the gunfight will remain the fact that Tom and Frank McLaury and Billy Clanton were killed. Dead, like Marley, "dead as a doornail."

Next Month: "A Proposition Both Monstrous and Startling"

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HUNG AND SHOT

By DOREE

Henry Drake was on his way home October 21, 1913, after attending an auction at Ray, a small farming community in northwestern North Dakota. The prairie night was dark and cold. He huddled in his wagon, half asleep, letting his horses find the way home at their own pace.

As Drake passed the farm of Doctor (his given name) T. Dillon about 9:30 P.M., he thought he heard faint cries. He sat up in his wagon to listen and heard what he described later as being "between a holler and a scream." It came from somewhere near the road, from Dillon's yard.

Drake found Dillon on the ground outside the barn, dressed only in a shirt, trying to crawl toward the road. "I first thought he was drunk," Drake recounted. "I said, 'For God's sake what's wrong?' I started to pick him up and found he was covered with blood."

Photo Courtesy Williams County Historical Society

Doctor T. Dillon and his wife Mary (Allie) Marsh Dillon.

Photo Courtesy Ray Opera House Museum

Lela May Marsh, Doc Dillon's step-daughter.

Dillon told Drake he had been "shot all to pieces" and that he thought his family had been killed. "He wanted me to hurry and get him away from there, for fear the man would come back and finish him," said Drake.

Drake didn't think he could get Dillon into his own wagon, so he hitched his horses to one in the yard. While doing so, he noticed what looked like a big coat on the ground near him. "I tried to drive the horses past it but they became scared, so I... backed them up...so that I could reach the object." It was Mary Dillon, known as Allie, Dillon's fifty-two-year-old wife. "I turned her over and saw she was dead."

Drake took Doc Dillon to the farm of his cousin, John Dillon, a mile away. Remarkably, Doc, who had been shot three times from the back, lived a week—more than long enough to tell what had happened.

Like many of his neighbors that October Tuesday, Doc had been at a

FULL OF HOLES

HAKY

neighbor's auction sale. He had arrived home about 8:00 P.M. to find a tall young stranger wearing a blue serge suit and scuffed shoes waiting for him, wanting work. Doc had some roofing to do, so he hired the man for $1.50 a day and board. The stranger had already eaten with Dillon's wife and step-daughter, Lela May Marsh, but he waited in the house while Dillon had supper. About nine o'clock both men went out to the barn to feed the horses. As Dillon bent over a bin to scoop oats, his new hired man shot him three times in the back and left him for dead. Although he lost consciousness for a time, Doc heard two more shots.

Dillon was terrified that the man would find out he was still alive, so he waited until he was sure no one was around before attempting to get help. He was bleeding profusely and so weak that he knew his voice wouldn't carry as far as the road that ran by his place. When he tried to get to his feet, he discovered that his legs were paralyzed. He would have to drag himself out of the barn and nearer to the road.

His heavy, blood-soaked clothes hindered his crawling, Doc said, so even though it was October 21 and cold, he wriggled out of his sodden pants and inched his way toward the road, calling out whenever he thought he heard someone coming. Finally, Drake happened along.

That night, after sending someone to Ray for a doctor, John Dillon, Drake, and another neighbor, Ole Quale, went back to Doc's three-room, one-story farmhouse to look for Lela, Allie Dillon's twelve-year-old daughter from a previous marriage. They found the girl lying dead in a pool of blood on the floor of her parents' bedroom. She was partially dressed; it looked as if she had been getting ready for bed.

The men covered the bodies and returned to John Dillon's place. Sometime after midnight, Dr. W.B. Scott arrived there from Ray. Scott said he found Doc Dillon conscious but "suffering severely from shock," as well as from his wounds.

Dr. Scott dressed the wounds, then went with others to Doc's farm to examine the bodies. Both Lela and her mother, he found, had been shot from the front through the chest and had died where they fell.

Williams County Sheriff Carl Erickson and Dr. O.E. Distad, the county coroner, arrived at the John Dillon place from Williston about 2:30 A.M. The murderer had

Photo Courtesy Williams County Historical Society

Cleve M. Culbertson, convicted killer of Doc Dillon and his family.

not taken any of Doc's horses, so Distad and Erickson left for Ray to see if he might have boarded a train. Many of Dillon's neighbors had seen or even talked to a stranger fitting Doc's description of his assailant. They headed for Ray, too.

Erickson learned that a tall, mustached man wearing a blue suit and a black hat had taken a room that evening at the Smith Hotel in Ray. The stranger had asked to be called when the eastbound train was due. He had left before being called, however, and the page on which he had registered under the name Culbertson had been torn out.

At the Ray depot, five or six men were lying on the benches waiting for the eastbound Number Four train. Some of them seemed asleep, but they all raised up to listen when men looking for Culbertson arrived there and began talking about the sensational murders. All, that is, except one man in a dark blue suit who lay on a bench on the west side of the depot with his black hat over his eyes.

Sale Perdue, John Dillon's nephew, thought the man was the stranger who had stopped him on the road about a mile from Doc Dillon's place the previous afternoon and asked for tobacco. Perdue asked Claude DeVault, Ray's town marshal, to remove the man's hat so he could see his face. But the train was coming, so DeVault suggested Perdue keep an eye on the man while he went outside to keep watch on the train.

"All at once he just raised up and mashed his hat down over his face and out he went," Perdue testified later. He and DeVault followed and saw the man climb onto one of the cars, but the train was already pulling out.

Someone, possibly the sheriff, called ahead to Temple, the next station east of Ray, where the conductor of an eastbound Great Northern freight train learned of the murders. The caller asked the conductor to flag down Number Four when it arrived at Temple and look for the man. That he did, and two armed trainmen found Culbertson, unarmed, sharing a blanket with a youth on one of the cars. Culbertson said he had boarded the train at Williston, but the youth told the men he had boarded at Ray. They locked Culbertson in the baggage car of Number Four and the train continued east to White Earth, where Sheriff Erickson was waiting to put him in jail until morning.

Bill Shemorry Collection

Sheriff Carl Erickson.

Photo Courtesy Williams County Historical Society

Henry Drake, who found Doc Dillon "shot to pieces."

The next day, Erickson and his deputy took Culbertson first to the Smith Hotel, where the clerk identified him as the man who had registered as Cleve M. Culbertson the night before. Then they took him to the Dillon farm. Doc Dillon, still lucid, asked him, "Why did you do it?" Culbertson denied he had ever seen Dillon before.

In a detailed statement that Dillon signed in front of witnesses, he swore that, "I know this man stood immediately back of me and within four or five feet of me when I stooped for the oat pails and there was no other man on the place....I know that this is the same man who shot me."

Was Culbertson Allie Dillon's former husband, Lawrence Marsh, who had deserted her shortly after their marriage in Virginia about 1900? Was jealousy the motive? Doc, who had married Allie in Omaha, Nebraska, in about 1905, had never seen Marsh.

The *Ray Pioneer* reported that "a large number of neighbors and people from Ray had congregated on the [John Dillon] place when the prisoner was brought up." The feeling against him was "intense," and the "crowd would have made a short shift [sic] of the man if the opportunity had offered, but the sheriff and deputies kept a strict guard over him."

Culbertson denied his guilt and also denied owning the suitcase bearing the initials C.M.C. found at the Ray depot until personal papers bearing his name were found in it.

The luggage was distinctive because of a broken handle replaced by a strap, and several people at the house that night said they had seen the man with it the day before. Sheriff Erickson, aware of the crowd's growing anger, hurried his prisoner to the county jail in Williston, thirty miles southwest of Ray.

When Allie Dillon's sister and brother came for the hearing, they ended speculation that Culbertson might have been Allie's former husband. He was not. Could the twenty-two dollars Culbertson had when arrested have been the money stolen from Allie Dillon's empty purse found in her bedroom? Even so, robbery didn't seem to be the motive for the murders.

Culbertson wanted his money sent to his wife and son in Dorchester, Nebraska, and gave the authorities her address. Sheriff Erickson wired her for information.

"Mr. Culbertson not previously married," she replied. "Last heard from at Tugaske, Sask. Weight about 165, six foot, black hair, slightly curly, dark eyes. We have been married six years. Has been working in Canada. Mrs. Ida Culbertson."

A Dorchester newspaper said of the case, "Mrs. Culbertson and little four-year-old son live here and are in destitute circumstances. The town is providing her with food. People here are interested in the case as this man lived his childhood days five or six miles from here."

The *Dorchester Times* reprinted accounts of the murders from the North Dakota papers, adding that C.M. Culbertson was a resident of Pleasant Hill in his youth and had moved from Geneva to Dorchester in the spring. He had worked as a farm hand there until he left for Canada on July 27, according to his wife. Ida last heard from him September 24. Fillmore County, Nebraska, records show that Ida Piersol and Cleve Culbertson were married by a minister at Ida's home in Geneva on February 11, 1908, when both were twenty-four years old.

"Culbertson is an inveterate gambler and it is found that in one game about four years ago he lost $1,400," the *Ray Pioneer* reported, but did not cite its source. The paper also said that Culbertson had a police record in Omaha, but it did not elaborate.

About 300 people packed the courtroom at Culbertson's preliminary hearing on October 24 in Williston. Throughout the four-hour procedure, according to the *Williston Graphic*, Culbertson sat "like a statue," with his legs crossed and his black hat in one hand. He didn't flinch when witnesses pointed him out as the murderer, and didn't once turn his head to look about him.

A week after being shot and three days shy of his thirty-sixth birthday, Doctor Dillon died. On October 29, a triple funeral was held for the murdered family in the Norwegian church at Ray. Hundreds of people attended.

Culbertson waited in jail, without bail, for his trial. Among his visitors was his father, J.W. Culbertson, who farmed near Evanston, Wyoming. The *Graphic* reported that Cleve "broke down upon seeing his father," but still denied committing the murders. His father left money to pay for an attorney and went home.

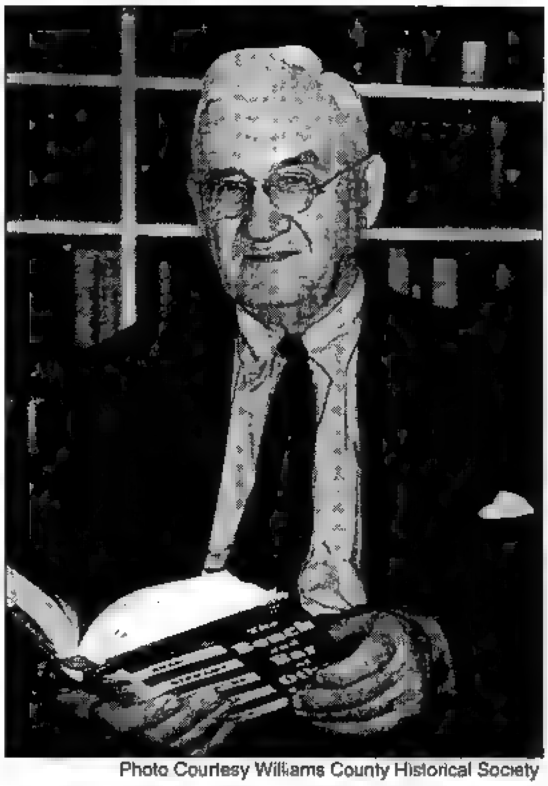


Photo Courtesy Williams County Historical Society

Usher L. Burdick, shown later in life, the state's attorney who prosecuted Culbertson.

Dillon was bleeding profusely and so weak that he knew his voice wouldn't carry as far as the road that ran by his place. When he tried to get to his feet, he discovered that his legs were paralyzed. He would have to drag himself out of the barn and nearer to the road. His heavy, blood-soaked clothes hindered his crawling.

On December 4 a deputy confiscated a spoon that Culbertson had sharpened to a point against the cement floor and concealed under his clothing. During the trial for the murder of Doc Dillon (the other murders would be dealt with separately, if necessary), which began in the Eleventh District Court on December 9, Culbertson succeeded in concealing a case-knife in his shoe while in the courtroom. When authorities discovered it, Culbertson begged to keep it, saying that if he could "get" state's attorney Usher L. Burdick he would be willing to die. Sheriff Erickson also testified that Culbertson had tried to "take a rap" at Burdick with a chair "because he said he had it in for him."

A Plentywood, Montana, hardware dealer testified that he had sold Culbertson a .32 caliber pistol;

several witnesses said they had seen the defendant with it. One saw him shoot it at a dog, and .32 caliber casings found at the site matched casings found near the oat bin in Doc Dillon's barn.

Other witnesses' testimony tracked Culbertson's movements, almost hour by hour, as he made his way from Plentywood to the Dillon farm a week later. Several recognized the suitcase.

Pre-trial hearings and the trial itself left no doubt that Culbertson was guilty of the triple murder. The *Ray Pioneer* commented, "During the entire time of the trial the courtroom was crowded by people interested in the case and several hundred from the eastern part of the county [where Ray is] were present every day. Public sentiment against the prisoner was very intense at all times and nowhere could be heard any sentiment in his favor."

Culbertson's lawyer, C.A.M. Spencer, called few witnesses. He admitted that his client had killed the Dillon family, but cited the absence of any logical motive for the murders as evidence of his insanity.

At 3:30 P.M. December 11 the jury began deliberations. At 9:00 P.M. they returned a verdict of guilty of first degree murder, but instead of the death penalty that everyone expected, jurors recommended a life sentence. The *Williston Herald* later reported rumors that "never more than three of the jury voted for the death penalty and three at one time stood for acquittal on grounds of insanity."

The Dillons' friends and neighbors were incensed. About 4:00 A.M. Sunday, December 14, a crowd of masked men tried all the doors in the jail and "tore around there about an hour and a half, maybe two hours," Sheriff Erickson said, before they left.

At 2:04 a.m. masked men again surrounded the jail. Sheriff Erickson locked himself and the key to Culbertson's cell in another cell, but the men told him they didn't need his help anyway. They used a crowbar and a huge water main pipe as a battering ram to break into Culbertson's cell.

On Monday morning, December 15, Culbertson was formally sentenced to life in the state prison at Bismarck for the murder of Doc Dillon, and in the afternoon he was arraigned for the murder of Lela May Marsh. That was a precaution; if Culbertson was ever pardoned, he would face another trial.

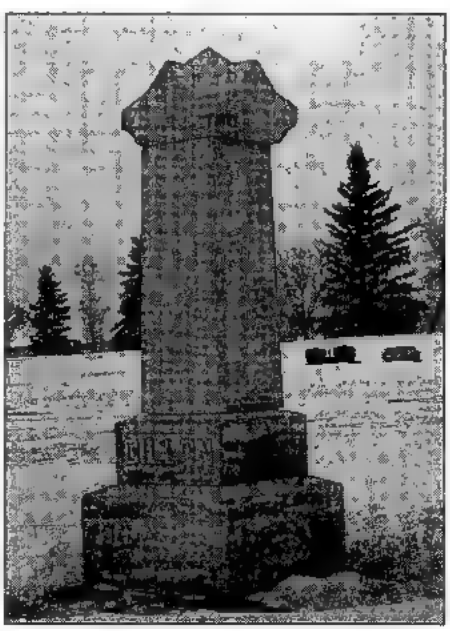
Cleve Culbertson was to stay one more night in the county jail before going to prison on Tuesday. At 2:04 A.M. masked men again surrounded the jail. Sheriff Erickson locked himself and the key to Culbertson's cell in another cell, but the men told him they didn't need his help anyway. They used a crowbar and a huge water main pipe as a battering ram to break into Culbertson's cell.

In about fifteen minutes, the mob had Culbertson out and down the stairs. They walked their captive across the yard to an iron fence and Joe Scrivner, who tended the furnace in the basement of the courthouse, saw him fall down. "They dragged him down the street," Scrivner later told an inquest jury, and "it seems to me they shot him." Scrivner watched the crowd take Culbertson past an arc light in the next block to the east and to a parked car.

After about five minutes, when he

Photo Courtesy Ray Opera House Museum

The triple funeral for the Dillon family. Note the female casket bearers carrying Lela May's casket.

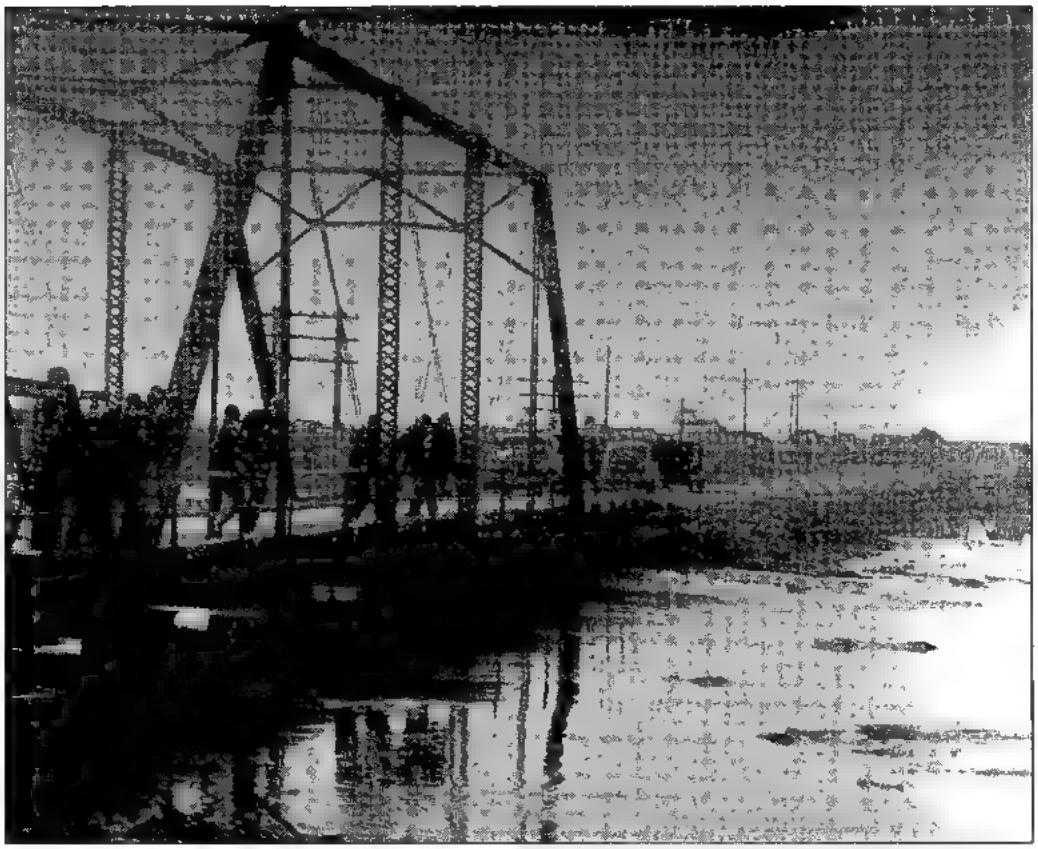


Author's Photo

A monument in the Ray Cemetery marking the Dillon family graves.

was sure the mob had gone, Sheriff Erickson went looking for Frank Lunceford, the night policeman. But Lunceford had been called away to investigate a report of a man being shot and robbed at a bridge west of town. When Lunceford got there, though, he knew he had been "jobbed," as he later said. He returned to town and ran back to the courthouse. Sheriff Erickson hadn't yet called state's attorney Burdick, so Lunceford called him, Coroner Distad, and two deputies.

When Distad and Burdick arrived, Lunceford and Erickson got in the car and they all headed straight east of town to a wagon bridge that spanned the Little Muddy River. There they found Culbertson's body hanging by a thin rope from the railing on the south side.



Bill Shemorry Collection

The bridge over the Little Muddy River from which vigilantes lynched Cleve Culbertson.

Culbertson's feet, Sheriff Erickson told the inquest jury, "were probably five feet from the deck of the bridge." Distad pronounced Culbertson dead, and they took his body to an undertaker in Williston.

"THE ROPE," reported Dr. E.J. Hagan, who did the post mortem examination, "had left a mark around his neck which indicated that he was first hung up, death had come perhaps from strangulation.... The gun shot wounds apparently had been shot immediately after being hung up or during the time of departing of life."

Hagan reported that there were "eleven bullet holes on the back side of the body and five in front." Five of the bullets had gone through the body, three of them lodging in the clothing. Culbertson had bruises on the nose, forehead, knees, and elbows. His skull and brain were normal.

The next day, *The Minot Daily Optic* told of Culbertson "with the light of a wild animal in his eyes" fighting his assailants "as ferociously as a tiger" while foaming at the mouth. The Williston weekly newspapers ran more modest stories which, for the most part, jibe with court records. The *Graphic* headlined the story, "Cleve Culbertson—Hung and Shot full of Holes by Mob."

Culbertson's father was reportedly too upset to attend his son's funeral, but he sent fifty dollars to cover the cost of burial. Ida Culbertson asked for a delay until she might arrive, but she never came. In the end, the funeral was in the undertaking parlor, and Cleve M. Culbertson was buried in the Williston Cemetery on December 23, 1913, without a relative or a friend present. The grave, unmarked, is lost to history.

The mob was never caught, although state's attorney Burdick made tough talk that he would not rest until he found the lynchers. Governor Louis B. Hanna sent Attorney General Andrew Miller to Williston before Christmas to investigate. After a hearing, Miller demanded Sheriff Erickson's resignation for not "exercising due diligence to prevent the lynching of Culbertson," but Erickson refused. No one pressed him and he was reelected on the Socialist ticket in 1914, serving until 1916.

State's attorney Burdick was also criticized for his lax handling of the investigation, but he had other things on his mind. On February 12, 1914, Burdick, who had been North Dakota's lieutenant governor from 1910 to 1912, announced his candidacy for governor. He lost that bid, but in 1934 he was elected to Congress on the Republican-Nonpartisan League ticket.

Descendants of some of those vigilantes must surely still live around Ray. None, however, are yet willing to admit that their fathers or grandfathers were present when Cleve Culbertson was "hung and shot full of holes."

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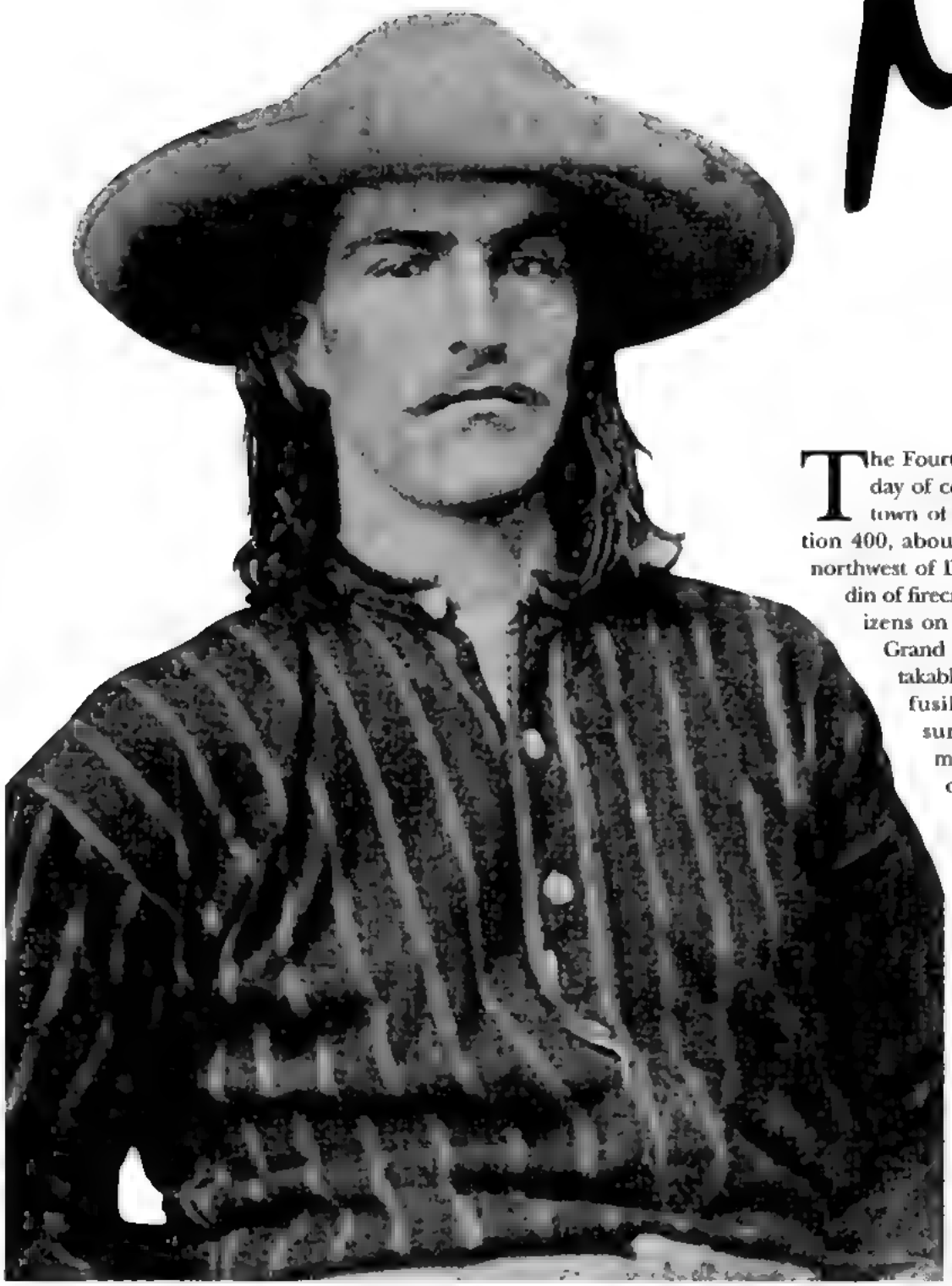

Colorado Historical Society

William Redman, Grand County undersheriff and one of the masked assailants in the July 4 shootout

The Fourth of July, 1883, was a day of celebration at the little town of Grand Lake, population 400, about one hundred miles northwest of Denver. But above the din of firecrackers and revelry, citizens on the western shore of Grand Lake heard the unmistakable sounds of gunfire. A fusillade erupted that sunny morning, ultimately claiming the lives of six men and making the picturesque town the site of one of the most infamous bloodlettings in Colorado history.

The feud—both personal and political—that culminated in the tragedy, apparently began in 1877, when T.J. "Cap" Dean and C.H. Hook, vied for the post of county judge. Dean, the incumbent, won reelection. Convinced that Dean had

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FOURTH OF JULY SSACRE

By ROBERT V. HUNT, JR.

altered some records, however, Hook and his supporters invaded the courtroom one day and fired their weapons in a blatant attempt to intimidate the judge.

According to one source, a miner named William Redman pushed aside the arm of a man who had taken dead-aim at Dean, saving the jurist from almost certain death. The attack split Grand County (5,381 square miles, but with a population of only 2,200) into two factions, which roughly represented the two main towns of Hot Sulphur Springs and Grand Lake. As the years passed, the two communities battled for political and economic supremacy. In 1881, against the bitter opposition of Hot Sulphur Springs residents, the county seat was moved to Grand Lake.

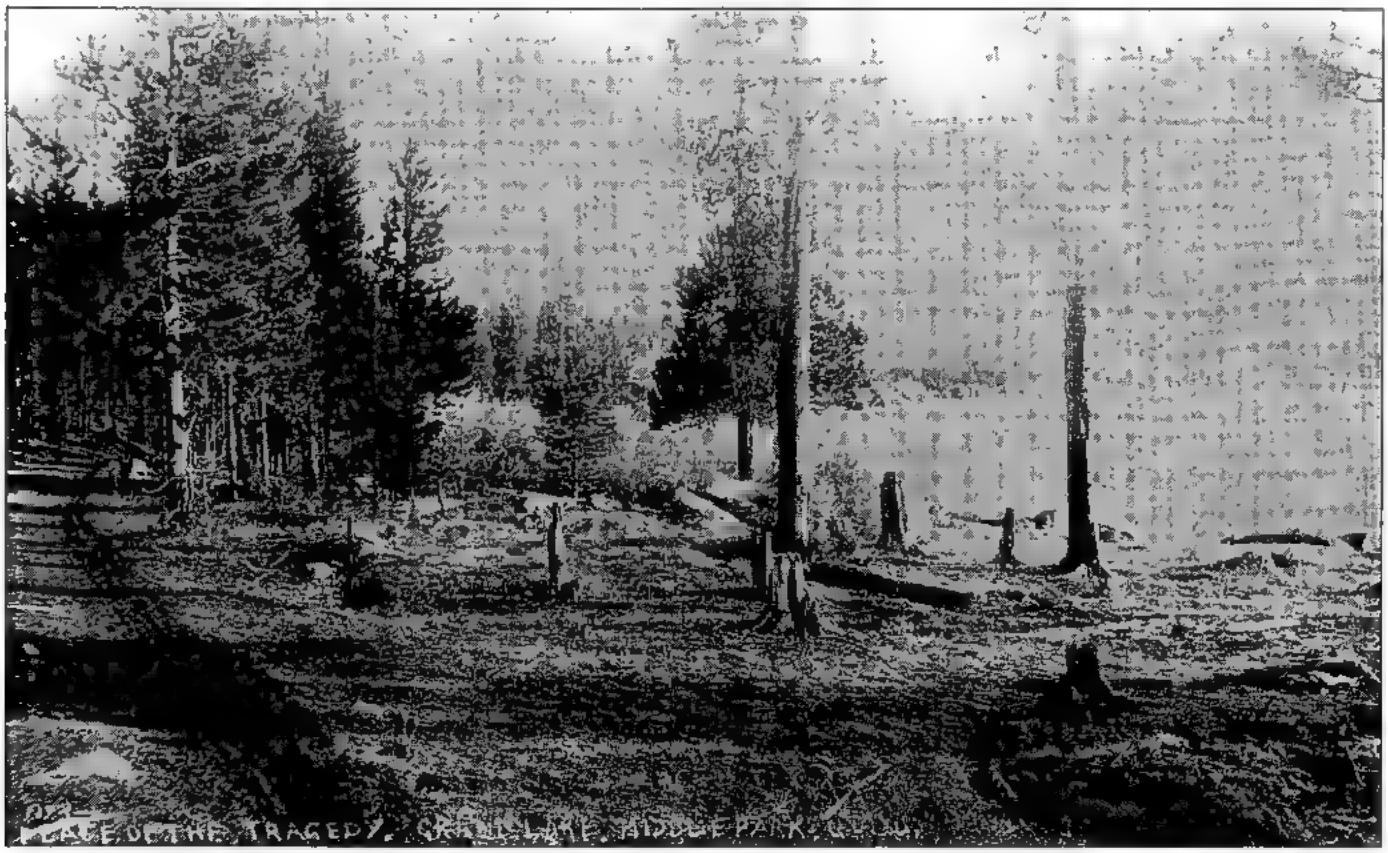
By 1883, the feud in Grand County was further fueled by political, financial, and personal animosities. Its focal point was the three-man board of county commissioners. The senior commissioner was Vermont-born former newspaper editor John G. Mills. A graduate of Dartmouth College, he had migrated to Jackson, Mississippi, where he became postmaster. In 1875, he quarreled with the editor of a local newspaper and killed him. Arrested and charged with murder, he managed to gain his freedom on a legality and fled the state. He later surfaced at Cheyenne, Wyoming, where for a time he was editor of the *Cheyenne Leader*. He was thirty-three years old and married.

Quickly Grant scanned the startling message and learned that a terrible tragedy had occurred—all three Grand County commissioners were either dead or dying. The message asked Grant to "send at once a company of militia for the protection of the citizens. Killed—Barney Day and J.G. Mills, mortally wounded—E.P. Webber [sic] and T.M.[sic] Dean."

In the winter of 1883, acting Governor Horace Tabor appointed Barney B. Day to a vacancy on the commission. Day was an old-timer in Colorado, having arrived in 1875, when it was still a territory. Born in Ohio, the former government scout worked as a trapper before taking up ranching in the Kremmling area. He was fifty-two years old, married, and the father of a son.

The third commissioner, and last appointed, was Harvard law school graduate E.P. Weber. Born in Illinois, Weber moved to Colorado in 1879. Before entering politics, Weber was associated with the Wolverine Mine in Grand County. In the eyes of his foes, Weber was a power-hungry capitalist, anxious to gain political influence to further the financial ambitions of his patrons, "the moneyed men of Chicago." He was thirty-six years old and married, with no children.

As the Grand County factions coalesced, Day and Weber took one side, Mills the other. Mills and Weber despised one another. The one-time friends had a falling-out over who would be a delegate to the Republican state convention in 1882. Although Mills was selected, Weber somehow made his way to Denver first and presented himself as the duly elected Grand County delegate. When Mills arrived, he found himself not only preempted, but unmercifully pilloried by Weber,



Colorado Historical Society

The site of the July 4 massacre on the west side of Grand Lake.

who told the other delegates about Mills' troubles in Mississippi.

The incident led to a physical confrontation in front of the Brown Palace Hotel. The fight nearly escalated into bloodshed, but other politicians separated the would-be combatants. According to reports, Mills threatened Weber, saying, "Some day soon, we will have it out in Grand County and bring this thing to a showdown."

The Grand County sheriff was Charles W. Royer. A native of Louisville, Kentucky, he had been a resident of Middle Park since 1874. First elected in 1879, he was known as a brave man of high integrity. In addition to his role as sheriff, the thirty-year-old Royer had until recently been in a partnership with C.H. Hook to handle general merchandise and run a stage line in the Middle Park area.

Royer's chief deputy at the time, Undersheriff William Redman (apparently the same man who had saved Dean years earlier), was a tall, mercurial man, known for his loyalty to friends and unbridled hatred of his enemies. Over the years, he had had a series of bitter disputes with Cap Dean and E.P. Weber. In 1877, he quarreled with Dean and knocked the fifty-seven-year-old Civil War hero to the ground. His falling out with Weber was over a mining claim. While it led to Redman's arrest along with several others, the charges were eventually dropped.

The wounded Cap Dean provided the best eyewitness account of what happened. He, Day, and Weber left the hotel and were walking three abreast as they neared the Anderson cabin, an old icehouse on the west shore of the lake and a little more than 200 yards from the hotel. Dean heard the report of a rifle or pistol.

In January 1883, however, Weber swore out a warrant for the arrests of Redman and deputy sheriff Lon Coffin, charging that he was "afraid of his life." Special deputy constable W.Z. Cozens took the warrant, but apparently never served it. According to the *Grand Lake Prospector*, Weber told his wife that Redman was "a big coward and will not dare shoot." The Missouri-born Redman was twenty-nine years old in 1883.

After Day and Weber decided in late June to revoke the bonds of the other county office holders—including the sheriff, county clerk, and treasurer—a showdown was inevitable. The *Grand Lake Prospector* reported that Mills told Grand County resident John Mowry that a ninety-man vigilance committee had formed and would warn fourteen undesirables to leave Grand County within the next two weeks. Among those Mills mentioned were Weber, Dean, Day, and Frank S. Byers, a Hot Sulphur Springs liveryman. "He also told parties in Teller [City] that Weber, Day and Dean would be hanging between heaven and earth inside two weeks."

The feud came to a head on July 4. Late that afternoon, Governor James B. Grant's holiday in Denver was interrupted by an aide hurrying to give him a telegram which bore the signatures of eleven Grand County citizens. Quickly Grant scanned the startling message and learned that a terrible tragedy had occurred—all three Grand County commissioners were either dead or dying. The message asked Grant to "send at once a company of militia for the protection of the citizens. Killed—Barney Day and J.G. Mills, mortally wounded—E.P. Webber [sic] and T.M. [sic] Dean."

Frank Weir, who had raced the twenty-five miles to Hot Sulphur Springs, took the first word of the calamity out of Grand Lake. According to the Denver *Tribune* he "breathlessly informed...[people at Hot Sulphur Springs] that a mob of masked men had attacked the County Commissioners, and had shot two of them in cold blood."

Day, Weber, and Dean, who was by then acting clerk for the board, had held a meeting in Grand Lake on July 3 and did not officially adjourn. About 8:30 the next morning they left their lodgings at Mary Jane Young's Fairview Hotel on the west side of the 507-acre Grand Lake and began walking the half-mile to town. They intended to finish their meeting at the courthouse.

In a deposition he later gave to the coroner's jury, the wounded Cap Dean provided the best eyewitness account of what happened. He, Day, and Weber left the hotel and were walking three abreast as they neared the Anderson cabin, an old icehouse on the west shore of the lake and a little more than 200 yards from the hotel. Dean heard the "report" of a rifle or pistol, and several seconds later Weber shouted, "Oh, I am shot." Dean and Day grabbed the stricken man and eased him to the ground.

Dean looked up to see "three masked men within a few feet of us." He remembered at least two revolvers pointed at him. "I jumped, and at the same time drew my revolver. I was struck in the face near the eye, which partially blinded me." As he sought cover, Dean was shot in the right hip, the bullet shattering the bone and throwing him to the ground. "At that time one of the ruffians fell or jumped upon me and gave me a severe beating with a heavy revolver, and then left me lying on the ground."

Two boys, Dick McQueary and Robby Throckmorton, were fishing from a small boat when the shooting started. They reported seeing an undetermined number of masked men running through the trees, "and got a glimpse of horses running north on the road from the location of the fight." They said all of the men carried guns.

Another witness, Ike Alden, told of rushing to the stricken men immediately after the shooting. He, like most of the other witnesses, had been sitting behind the Fairview House enjoying the holiday. He first came upon Weber, who was lying on his back, unable to move. "I asked him if he knew me. 'Yes,' he whispered. I got water and stooped down to wash his wound. 'Ike, put the water there,' he said. 'I won't leave you, Weber,' I promised. 'I'll protect you.' But I was scared. I was sure Redman and his gang were in this,

Colorado Historical Society

A stagecoach in Grand Lake, Colorado, where political tensions erupted in gunfire in 1883

and they'd been out to get me for a long time."

Onlookers carried Weber to the Fairview House, where he lingered until about midnight. Alden remembered Weber's last words: "I hope there won't be any more killing." In her book, *Ghosts of the Shootin* [sic], Nell Pauly, Mary Jane Young's granddaughter, wrote that Weber's "wound bled a great deal, and a puddle of blood dripped onto the soft pine floor of Mary Jane's parlor, and there remained until the house was torn down."

After Weber and Dean were shot, Barney Day drew his weapon and shot the leader of the masked attackers in the head, killing him instantly. The *Tribune* said, "Day then ran behind the cabin, where he was pursued by a man on either side. He fired at, and it is believed from blood stains which were found, wounded one of his pursuers—whereupon he wheeled to shoot and was shot by the other through the heart." A four-foot-wide strip of ground separated the cabin and the lake; Day fell, landing with his head in the lake, face down, in several feet of water.

By the time other help arrived, three men were dead and one was in serious condition. As groups of men gathered at the site, a bold fellow reached down and pulled off the mask of the dead gunman; it was commissioner John Mills!

The men covered Mills' body with a blanket where he had fallen near the icehouse. They pulled Day's body from the lake, placed it on planks, and covered it with a blanket. Dean was carried to an upstairs bedroom of the hotel, his fate in the hands of local doctors.

Meanwhile, witnesses reported several masked men riding rapidly away from the scene of the shooting. The *Tribune* said a hastily assembled posse found and followed a trail of blood "a distance of one-fourth mile, to where a horse was hitched." The posse, however, was for all practical purposes leaderless—Sheriff Royer and Undersheriff Redman were nowhere to be found.

A coroner's jury convened the next day and found that "Barney Day appears to be the only one in the Day-Dean-Weber party who did any shooting, four of the chambers of his revolver being found empty." In addition, the jury found that Day died from a gunshot wound that entered his chest immediately above the right nipple, striking the lower part of the heart, and exiting in the region of the left shoulder blade.

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Weber's fatal wound confirmed initial reports that he had been shot in the back, and thus contradicted accounts that said the masked Mills approached him, rope in hand. Weber's wound was nearly opposite Day's—entering near the right shoulder blade and exiting near the left nipple.

Day shot Mills just above the left ear, powder burns clearly visible on the mask. Mills' revolver had one round expended, as did a Sharp's rifle near his body. Weber's and Dean's revolvers had full chambers.

The jury found that Day and Weber "came to their death by gunshot or pistol wounds at the hands of some person or persons unknown [other than Mills]." Within hours, the bodies of the three slain county commissioners were on their way to final resting spots. Day was buried at Hot Sulphur Springs, Weber on his ranch near the Fraser River, and Mills in the Grand Lake cemetery.

As wild rumors flew and threats of wholesale retaliation covered the county, attention turned to Sheriff Royer and Undersheriff Redman. The day of the shooting, Royer arrived back in Hot Sulphur Springs on an exhausted horse, barely thirty minutes ahead of Frank Weir. Acting strangely, he asked after Weir brought word of the tragedy, "What can I do? I don't know who to go after."

After calming down, the sheriff took time to write two letters to Governor Grant. Insisting that everything was under control, he told the governor there was no need for the state militia in Grand County. He appeared, however, unconcerned that Redman had seemingly vanished from the earth.

Denver newspapers located a visitor from Grand County who allegedly overheard "a conversation between Sheriff Royer and Redmond [sic] ...in which the latter, having apparently been telling Royer his intentions in some matter, said that Royer must not arrest him as he would be hung if caught, and winding up with the assertion that he had just as soon kill Royer as not, if he should attempt to arrest him."

Meanwhile, the Denver papers published Royer's second letter to Grant. Royer said that at the time of the shooting he was at home in Hot Sulphur Springs. He said that after learning of the tragedy, he rode to the scene and found two bodies, "but as the rain began to fall the tracks were soon obliterated." Deputy Max James and several others, however, followed the tracks to a point where a wounded assailant apparently mounted his horse.

But the earthly problems of the sheriff soon came to an abrupt and permanent end. On the evening of July 15, he and County Clerk Lon Pollard arrived at Georgetown, some sixty miles south of Grand Lake, and registered at the Ennis House. The next morning, after eating breakfast, Pollard went for a shave. On his way he noticed Royer walking along the street, "apparently in good spirits." The sleeping rooms in the annex of the Ennis House were empty during

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the breakfast hour of 8:30 to 9:30, and during that time Royer returned to his room and committed suicide. Not until 7:30 P.M. did two chambermaids, entering to make up the beds, find Royer on the floor. Perhaps they thought he was a drunk, but closer inspection revealed he was dead.

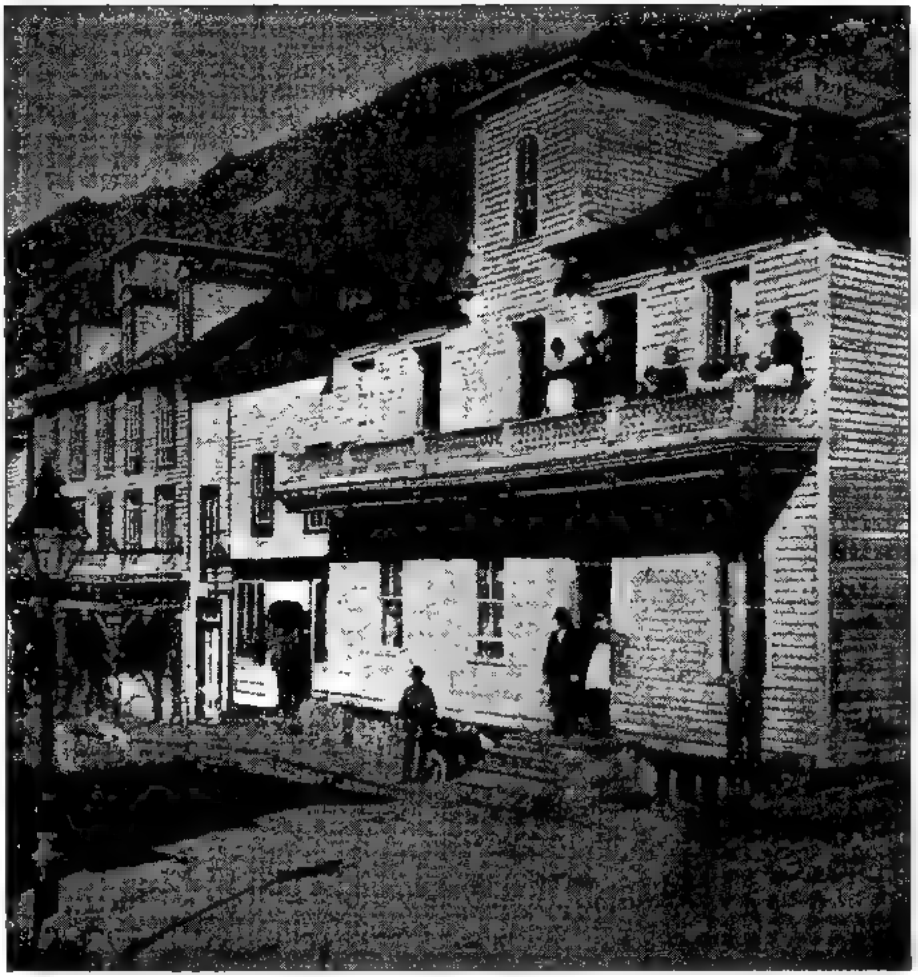
A coroner's jury determined that Royer had died from a self-inflicted gunshot wound to the head. "The right arm was raised and perfectly rigid, as were the fingers of hand, the thumb and forefinger being crooked as they were in grasping the revolver with which he was killed. The revolver was found on the floor behind a trunk. His head rested in a large pool of clotted blood, showing that he had been dead for some time."

Several days later Royer's remains were taken to McGovern's undertaking rooms in Denver. According to the *Tribune*, the body was embalmed and placed in "a handsome casket on the lid of which was engraved the date of his birth, death and age." At an Episcopal funeral service, "the remains were dressed in a neat fitting black suit of clothes, the features composed as life. The hole made in the head by the bullet could hardly be distinguished owing to the neat way in which the hair was combed."

The body was temporarily placed in a vault at Denver's Riverside Cemetery, pending final burial in Indiana after the weather cooled. That plan was never fulfilled, however, and Royer remains today at Riverside Cemetery.

The day after Royer killed himself, Cap Dean died at Grand Lake of blood poisoning resulting from his wounds, thirteen days after the ambush.

Royer's role in the massacre was not known until several months after his death, when his friend, Adam Kinney, told Frank S. Byers that Royer had confessed to him in a Georgetown office immediately before his death. Byers, in turn, made the confession public. Royer said that on the morning of July 4, William Redman and his brother,



Colorado Historical Society

The Ennis House hotel in Georgetown, Colorado, where Grand County Sheriff Charles Royer, a gunman in the July 4 massacre, killed himself.

"Bass"; the Coffin brothers, who were friends and political allies of Royer's; and John Mills asked if he wanted to go along with them and have a little fun. They promised to give E.P. Weber the fright of his life.

Royer said he did not expect any acts of overt violence as they waited in ambush near the icehouse. After Weber and Dean were shot and Day started shooting, however, Royer joined the fray. He said,

> Day dodged back behind the icehouse, and as he came around the south side of it he met Bill Redman. He shot at Redman, breaking his right arm and shooting the gun out of his hand. Just then I raised up out of my hiding place and shot Day. I shot him through the heart and his head fell back in the lake. Ever since I killed him, who I considered my best friend in the Park, old Barney has been looking me in the eye. Ad, I can't stand it any longer. I can't make a move that I am not watched, and it is only a question of time before it will come to a showdown. I have decided to make a short work of the whole mess.

Royer then went directly to the Ennis House and killed himself. The massacre had claimed the lives of five men, but one, William Redman, was still unaccounted for. On August 15, General David J. Cook of the Rocky Mountain Detective Agency received a letter from Dog Creek, Utah, dated August 8. A body thought to be that of William Redman had been found in the desert about four miles west of the Colorado line in the Uncompahgre Indian reservation.

Frank Huber, a post trader at Ouray, visited Denver several weeks later and filled in some of the details. Two Utah cattlemen, Hank Golden and Andy Strong, were

searching for lost cattle in the Blue Mountains when they came across a trail several miles west of the Colorado line. They discovered a man's body in an advanced state of decomposition. He lay on his back with a revolver between his knees, his head in full view exposing "a ghastly orifice in his forehead."

Above the man's head, scrawled in the sand, were the words, "I am William Redman." Also on the ground near the corpse was a packsaddle with his name carved into it; a knife was still sticking in the letter "n." From the tracks, it appeared that Redman had followed the Ute trail from Ouray to a remote part of the reservation. He had with him two broncos.

At the scene, it appeared Redman removed the saddle bags from the horses and, in a humanitarian gesture, turned them loose. He then apparently used his foot to smooth the sand and write his name. "While yet crouching, and as if with an eye to dramatic detail, he placed his revolver to his forehead and fired, the ball passing obliquely through the brain and issuing from the top and front part of the skull." Indians rode to the scene several days later, after Golden and Strong had found the body, wrapped it in a blanket, and buried it in the desert.

Two Utah cattlemen were searching for lost cattle in the Blue Mountains when they came across a trail several miles west of the Colorado line. They discovered a man's body in an advanced state of decomposition. He lay on his back with a revolver between his knees, his head in full view exposing "a ghastly orifice in his forehead."

When word reached Grand County that William Redman was dead, skeptics were quick to point out that there was no hard evidence to prove that the dead man in the Utah desert was actually Redman. Some believed that the undersheriff had killed another man and made it appear to be himself. The fact that Redman's brother, Bass, had disappeared immediately after the shooting on July 4 bolstered their argument.

In late August, a Grand County grand jury indicted Gill Martin and Lon Coffin as conspirators in the murders of Day, Dean, and Weber. Martin was deputy treasurer of Grand County, and believed to have been on Weber and Day's "enemy list." Coffin was a jailer under Sheriff Royer. Trial was set for September 5, but a change of venue request was approved, and the trial was rescheduled for November 14 at Golden, Colorado.

Unable to present its best witnesses, the prosecution accepted the inevitable and asked for a *nolle prosequi*, a formal notice by the prosecutor that prosecution in a criminal case would end on one or more counts. Judge Chester C. Carpenter immediately dismissed the case and released Martin and Coffin.

While no winner emerged from the affair, the partisans of Day, Dean, and Weber were particularly incensed. The *North Park Miner* echoed a significant body of sentiment when it demanded justice, for "someone is certainly criminally responsible." Nevertheless, old scores were finally settled one way or another, and life in Grand County went on—minus six men.

Colorado Historical Society

Picturesque Grand Lake, which became the site of murder and intrigue.

BOOKMART

416—TOUGH TIMES IN ROUGH PLACES: PERSONAL NARRATIVES OF ADVENTURE, DEATH, AND SURVIVAL ON THE WESTERN FRONTIER. *Ed by Neil B Carmony & David E. Brown.* The authors have gathered in one collection fifteen of the best adventures of the Old West told by the survivors They are stirring and informative accounts—some well known, others more obscure—that are guaranteed to engage the reader's attention. High-Lonesome Books.

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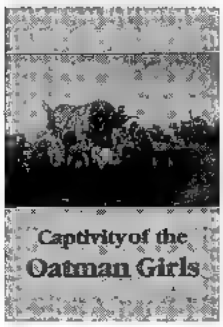

339—CAPTIVITY OF THE OATMAN GIRLS. *By R.B. Stratton.* Stratton's narrative, first published in 1857, describes the attack on the Oatman family along the Santa Fe Trail, the deaths of most family members, and the captivity of sisters Ana and Olive. It includes Olive's detailed account of her captivity that provides one of the earliest descriptions of life in Indian villages of the Southwest. University of Nebraska Press

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440—TALES OF OLD-TIME TEXAS. *By J Frank Dobie.* A heart-warming array of 28 stories filled with vivid characters, exciting historical escapades, and traditional themes, *Tales of Old Time Texas* provides strong evidence for Dobie's reputation as a master storyteller This is a collection of the best Texas tales—by the Texan who could best tell them. University of Texas Press.

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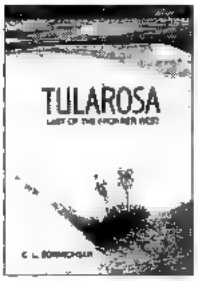

484—TULAROSA: LAST OF THE FRONTIER WEST. *By C.L. Sonnichsen.* The story of Tularosa—sunscorched, sandblasted, merciless—is as harsh and tough as its environment Writing from primary records and interviews, Sonnichsen tells the stories of the great cattle ranchers pitted against daring rustlers, white men against Apaches, desperadoes against lawmen. "Accurate, crisply written."—*New York Times.* University of New Mexico Press.

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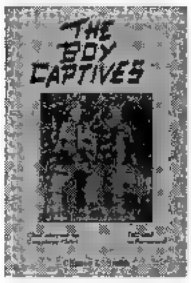

465—THE BOY CAPTIVES: BEING THE TRUE STORY OF THE EXPERIENCES AND HARDSHIPS OF CLINTON L. SMITH AND JEFF D. SMITH. *By Clinton L. Smith and J. Marvin Hunter.* Originally published in 1927 by Hunter, publisher of *Frontier Times*, this account records the story of two young men who claim to be the only known brothers to survive Indian captivity. Captives of Comanches and Apaches, the Smiths offer a look at Indian life and customs. Copies of the original book are rare Anchor Publishing Company

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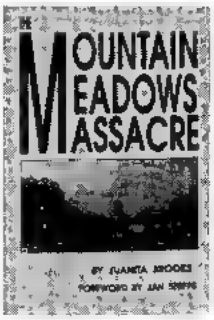

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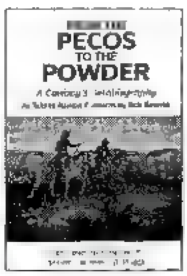

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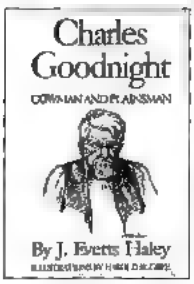

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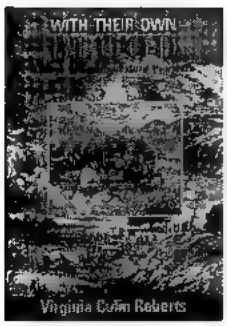

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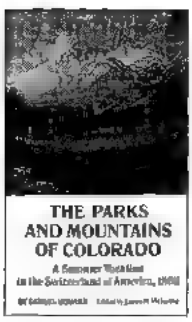

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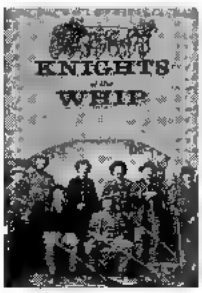

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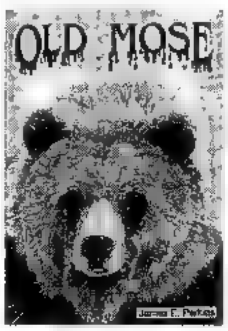

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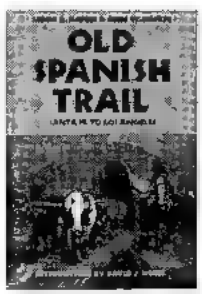

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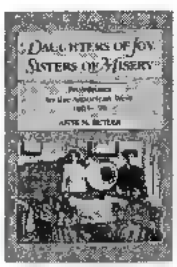

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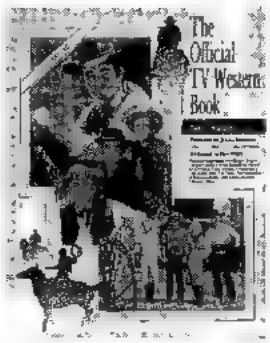

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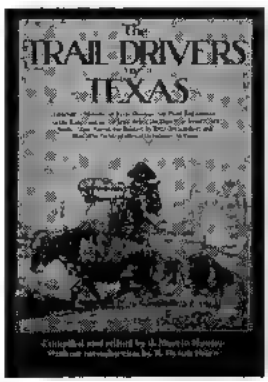

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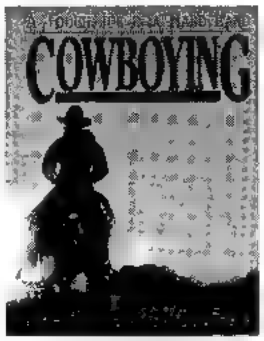

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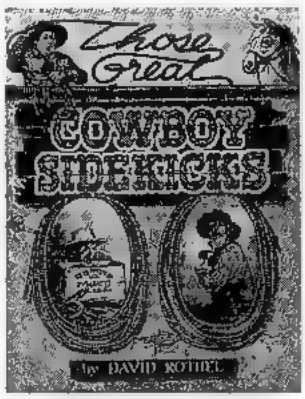

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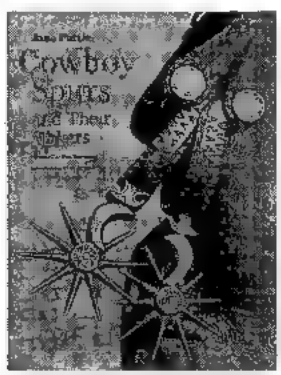

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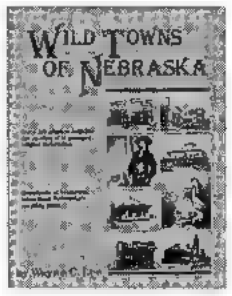

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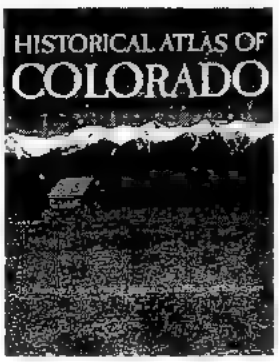

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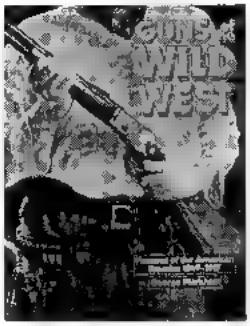

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Gold Rush Priest

By MARIETTA BARRON

The California gold rush lured people of all types, including a young man intent on becoming a Catholic priest. Patrick Manogue went to the mines to acquire enough money to finish his studies for the priesthood, and during his time in the goldfields he drilled, blasted, and shoveled tirelessly from dawn to night as hard as any other miner. His partner, I.J. Hanchett, said years later that he never saw a man work harder than the six-foot, four-inch Manogue.

Patrick Manogue was born at County Kilkenny, Ireland, in 1831. Both of his parents died before he was three-years old. Michael, the oldest of his six brothers and sisters, immigrated to the United States to help their desperate situation. He found work in the cotton mills of Connecticut. One at a time, he sent for each sibling as soon as he could pay for the trip.

Patrick's turn came when he was seventeen. He worked in the Connecticut mills for two years, then attended seminary in Chicago for four years. In 1854 he contracted cholera in an epidemic. As a result, he took his books and left for the gold country in California to regain his health and get enough money to finish his studies for the priesthood

Moore's Flat, twenty miles north of Nevada City, California, was a promising mining area. Patrick joined his brother James there and lived in a one-room, windowless log cabin by a creek. He cooked his meals of beans and salt pork over an open fire in his yard during good weather. Occasionally he had quail, rabbit, or deer meat for his meals, but Patrick seldom had time for hunting. Eventually he and James joined Hanchett's "Paradise" claim. Patrick bought one-sixth interest in the claim, making payments at the end of every week. He kept one ounce of gold dust each week for living expenses and savings.

Blessed Sacrament Church, Sacramento

Father Patrick Manogue as a young priest in Virginia City, Nevada

Patrick usually spent a full day in the mine, then studied by candlelight well into the night. Sunday, however, was a day of rest and recreation for everyone. Patrick couldn't resist a horse race, and frequently rode when the workhorses were rounded up to run in a designated area around the town. However, much to the amusement of the miners, Patrick's horse always came in last, burdened with his 230-pound frame. Patrick's great size was an asset, though, when he frequently arbitrated arguments between miners. His fair dealings prevented many a fight.

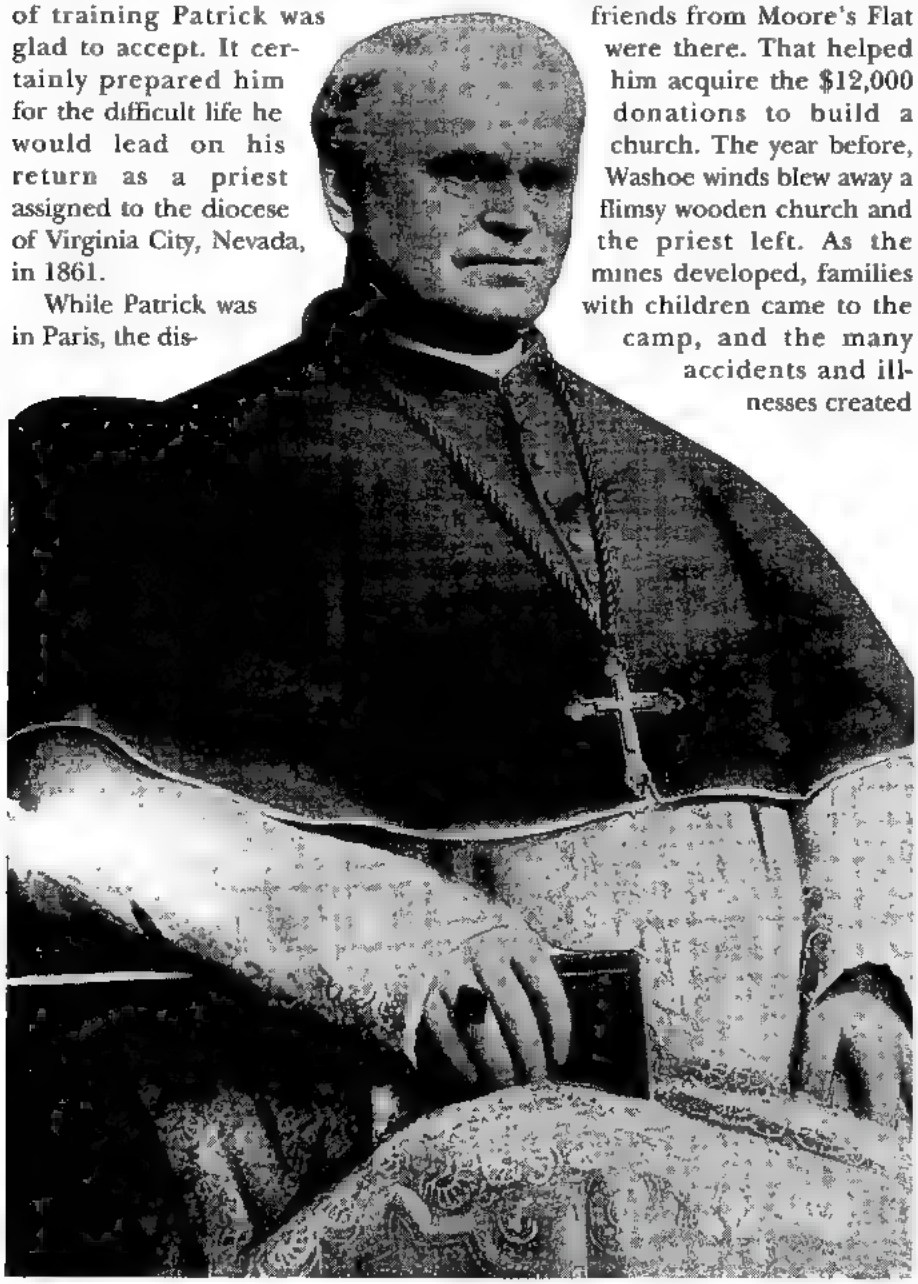
The workhorses pulled ore cars filled with a ton of rock out of the mine to be processed for gold. Miners were responsible for guiding the ore cars on the track, and Patrick was guilty from time to time of accidentally overturning his car, causing production to stop until the car was loaded again. That was

an infraction of the miners' code of laws, calling for a trial with a judge, jury, and prosecuting attorney chosen from the miners. Patrick represented himself like a first-class lawyer but always lost, and the miners looked forward to the demijohn of whiskey Patrick was obliged to buy.

After three years, with the sale of his share in the mine and accumulated savings, Patrick was able to finance his studies at the seminary of his choice, St. Sulpice near Paris, France. Bishop Alemany in San Francisco warned Patrick that he had chosen a seminary with extreme discipline, but that was the kind of training Patrick was glad to accept. It certainly prepared him for the difficult life he would lead on his return as a priest assigned to the diocese of Virginia City, Nevada, in 1861.

While Patrick was in Paris, the discovery of gold and silver in Nevada created a rush of miners to that area. The new camp was a primitive tent city in a barren desert; no one dreamed that silver would create a city there to equal San Francisco. Like many boom towns in the west, gambling, robberies, and suicides were frequent. Historian Hubert Bancroft called the Washoe district, which included Virginia City, "The world's moral cesspool." Except for its many prostitutes, the city had an all-male population. Father Patrick Manogue accepted the challenge.

When Father Manogue arrived in Virginia City, many of his old friends from Moore's Flat were there. That helped him acquire the $12,000 donations to build a church. The year before, Washoe winds blew away a flimsy wooden church and the priest left. As the mines developed, families with children came to the camp, and the many accidents and illnesses created a need for an orphanage as well as a school for day and boarding students. In two years Father Manogue accomplished that with the help of donations from the Propagation of the Faith Society in Paris, but all the saloons in Virginia City also helped raise money. Every bar had a receptacle to receive a donation for Father Manogue's parish with each drink sold.



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Manogue later in life as bishop in Sacramento, California.

Manogue gained the respect, admiration, and friendship of all who knew him—well, almost. Once after Manogue arrived as a priest in the mining regions of Nevada, a dying woman requested that he come to administer her last rights. As usual Manogue left immediately and rode his horse through the night to their home twenty miles away. When he arrived at dawn the husband met him at the door and shoved a gun in his face, "No —— priest is going to enter my house!" After a bit of parleying, Manogue grabbed the man's gun with his right hand, pushed him down flat with his left, then stepped over him into the house to discharge his duties.

THE NUNS chosen to go to Virginia City were called "God's Geese" because of their billowing white coifs (head coverings). The Indians named them "The great white birds." The barren desert must have been a new sight for the nuns. Sister Frederika, one of the Sisters of Charity, said, "God never intended that man should live there for it never rained. It was no place for man to live and God threw in the silver in order to give him some reason for attempting it."

April 1869 a devastating fire broke out in the Yellow Jacket mine. Father Manogue stayed at the entrance of the mine to comfort wives and mothers waiting in vain for their loved ones to return. Twenty-five men died in the fire, and a few are still entombed where a level of the mine collapsed as the wooden timbers burned.

The mines drew people willing to gamble—with their lives or with money—for development, so it is no

wonder that gambling was the miners' favorite pastime. The most popular game of all, faro, took place in an upstairs room of every saloon because it was against the law for a gambling den to be on the first floor. On payday the faro games were an irresistible urge, and many a miner lost his week's pay before getting home to his wife and children.

WHEN A WIFE would plead for Father Manogue to speak to her husband, the priest would "just happen" to be passing the payment office and would accompany the errant husband home—just to be sociable, of course. That worked with everyone except Chub Collins. His wife was frantic and begged Father Manogue to help, so he appeared at Chub's faro game. He could see Chub had enough winnings to pay his back rent with plenty left over, but Chub wasn't about to stop a winning streak. The dealer shut down the game to avoid a confrontation, and Father Manogue accompanied him home to his relieved wife. The word got around to all the faro parlors in town—if Father Manogue appeared in the saloon, the bartender was to notify the faro room upstairs and the door would be locked to maintain one of Virginia City's most lucrative industries.

Father Manogue's greatest challenge lay in meeting the spiritual needs in his parish, which included nearly all of the state of Nevada and part of the eastern slope of the Sierra Nevada in California. He made his visits on horseback, both in summer heat and winter snows. In a letter he wrote to the Society for the Propagation of the Faith in Paris to request donations, Father Manogue said, "Here we have to visit the sick 200 and 300 miles away on horseback at an enormous expense, not to mention fatigue, hardships, and death from Indians." Actually, he soon learned the Indians were not a threat. On one of his early trips to visit a sick miner who had sent for him, Father Manogue got lost. After wandering in the sagebrush and swamps, he got up his courage to approach a Paiute Indian camp. To his surprise he was well received, and one Indian led him to the sick man who was anxiously awaiting Father Manogue's arrival.

California State Library, Sacramento

The mining town of Virginia City, where Father Manogue served his first parish.

On one of his early trips to visit a sick miner who had sent for him, Father Manogue got lost. After wandering in the sagebrush and swamps, he got up his courage to approach a Paiute Indian camp. To his surprise he was well received, and one Indian led him to the sick man who was anxiously awaiting Father Manogue's arrival.

After that Father Manogue never failed to stop by the Indian camps. They seemed eager for Christian evangelism and called him "The Big Black Robe." Years later the Paiutes were still wearing the cherished sacred medals that Father Manogue had given them. The *Sacramento Bee* wrote in the late 1800s that Sam, the chief of the Paiutes, consulted Father Manogue and sought his advice in the management of his tribe.

On many occasions in a distant mining camp, Father Manogue had no place to sleep for the night except a barroom floor alongside a few teamsters and within hearing of boisterous drunks. A Mrs. Johnson, wife of a saloon keeper at Wellington's Station at Walker River, heard there was a priest asleep in their bar, and she demanded that her husband give up their bed for Father Manogue that night.

In a mining camp 180 miles away from Virginia City, a man was sentenced to hang. Father Manogue rode there to provide spiritual comfort before the execution, and after talking to the condemned man, thought he was innocent. The priest immediately rode back to Virginia City without resting to contact the governor and stop the hanging; the man received a full pardon.

The desert often flooded suddenly during rainstorms. One night

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while Father Manogue was on his way home from the Pyramid Lake region, part of the Truckee River flooded the road. He rode into the water and lost sight of land as his horse began to swim. Eventually the horse carried him to dry land, but he had a cold, wet ten-mile ride into Virginia City.

Father Manogue was well acquainted with poverty from his early life in Ireland, and he always stood ready to help anyone in need. Concerned about Marie Louise Bryant, a recent widow in his parish who tried to support herself and her daughters as a seamstress, Father Manogue asked the sisters to give her a job teaching French in the school. Someone, possibly Father Manogue or Theresa Fair, a mine owner's wife, introduced Marie Louise to John Mackey, a partner of Fair. Marie Louise sewed for Mrs. Fair at the time, and Mackey was a miner from the California gold rush and a good friend of Father Manogue.

When Mackey and Marie Louise married in 1867, Father Manogue conducted the ceremony. The sisters helped Marie Louise make a wedding dress suitable for all occasions, as Mackey was not well to do—yet. When their fortunes increased, the Mackeys were always ready to help in the parish's financial needs. As the mines continued to prosper, church members built a beautiful brick church called St. Mary's in the Mountains in 1868 to replace the wooden St. Mary's church.

A fire broke out early one morning that October. Because the town's scarce water supply had to be turned on each morning at a point several miles away, the fire raged out of control. Mackey worked frantically to prevent the fire from spreading to the underground workings of his mine, which, people said, contained more timber than all of the buildings in Virginia City.

In March 1875 Mackey and Fair discovered a fabulous bonanza and helped finance a much-needed hospital, named after Marie Louise, which remains today. Virginia City mines produced many wealthy people but none like Mackey and Fair. Their mine produced so much silver that a mint had to be established in Carson City, Nevada, to handle the great quantity.

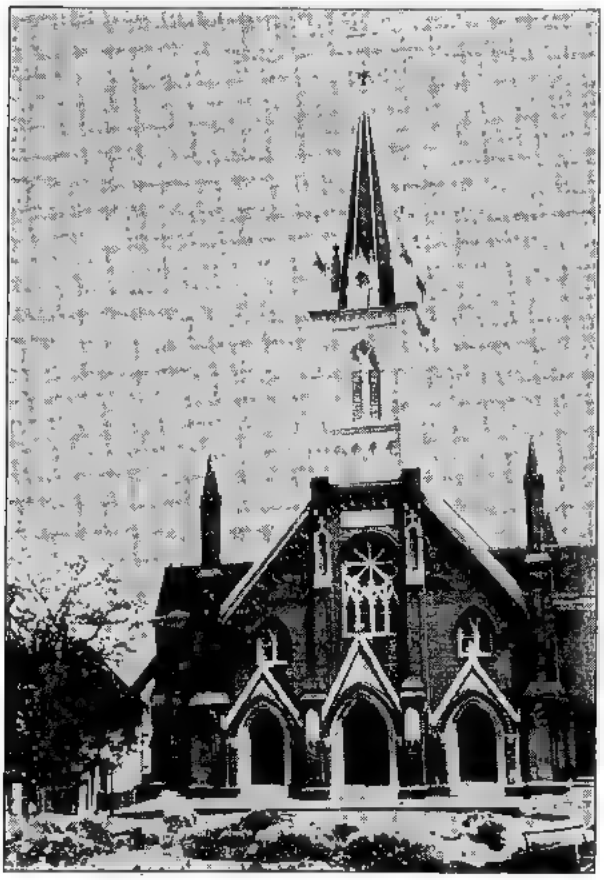
Unfortunately, a fire broke out early one morning that October. Because the town's scarce water supply had to be turned on each morning at a point several miles away, the fire raged out of control Mackey worked frantically to prevent the fire from spreading to the underground workings of his mine, which, people said, contained more timber than all of the buildings in Virginia City. A woman ran to Mackey to prevent the dynamiting of Father Manogue's church, which, if ignited, could have spread the fire to the nearby mine opening. Mackey said he would build seven new churches for Father Manogue if he wanted them, but he had to keep the fire out of his mine as it would be almost impossible to stop the fire if it got underground.

The blast succeeded and Mackey financed a new, bigger church, with bells made partly of silver to provide a beautiful sound. The church is one of the tourist attractions in Virginia City today. By then Virginia City had a railroad, which helped bring goods to rebuild the town. With the mines' prosperity the optimistic residents rebuilt the city bigger than before.

Father Manogue, who earlier had been a bit hurt to be passed over for a bishop's position, finally got the opportunity in 1880. Seeing a trend away from mining and toward agriculture, he insisted before taking the position that the seat of the diocese (the bishop's headquarters) be moved from the mining town of Grass Valley, California, to the state capital and agriculture town of Sacramento.

On January 16, 1881, Father Manogue's old friend from his days in Moore's Flat, Bishop Alemany, presided over ceremonies in the cathedral of San Francisco making Manogue a bishop. Marie Louise Mackey was living in San Francisco at the time and no doubt attended the ceremony, as many expensive vestments and chalices were her gifts.

Not until May 1886 was the new diocese seat created at Sacramento. Bishop Manogue began searching for a lot on which to build his cathe-



California State Library, Sacramento

Virginia City's Catholic church, built to replace one destroyed in a devastating fire in 1875.

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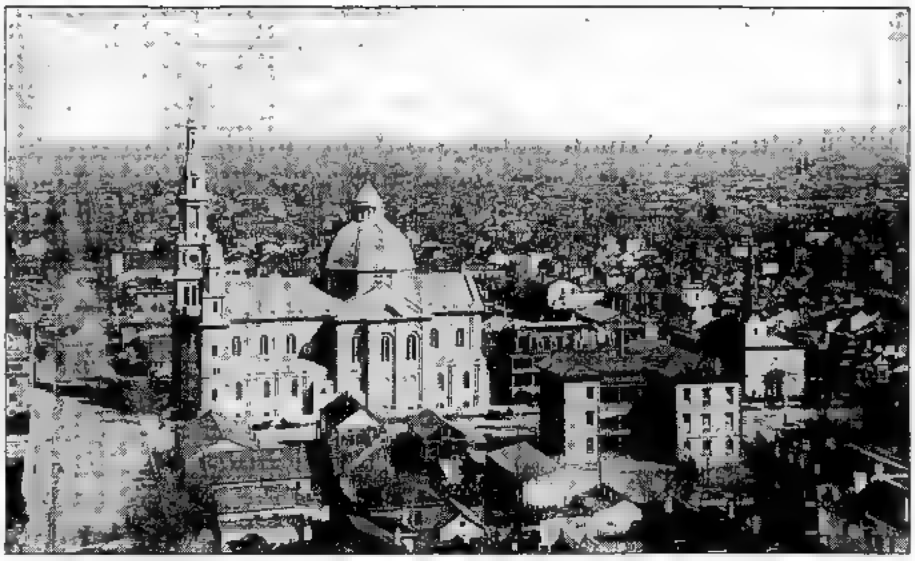
dral, and in 1887 he found one just a block from the state capitol. Work began within ten days. The corner stone was laid with a ceremony including a big parade and many speeches. The *Sacramento Bee* headlined a story about the ceremony "The Great Event" and "Sacramento's Streets Lined With Thousands Upon Thousands; A Splendid Procession of Catholic Young Men."

More than just Catholics welcomed the cathedral. Sacramento citizens thought it made their town as prestigious as the two major cities of the state, San Francisco and Los Angeles. The cathedral was also good for business. People had hinted that Bishop Manogue's bonanza mining friends, Mackey and Fair, would provide the Bishop with the money to build the magnificent contribution to their community. Actually, local citizens, including Protestants and Jews, contributed to the $250,000 needed to build the cathedral. The building was paid for upon its completion two years later and named the Cathedral of the Blessed Sacrament.



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The Sacramento cathedral, completed in 1889, dwarfs surrounding buildings.

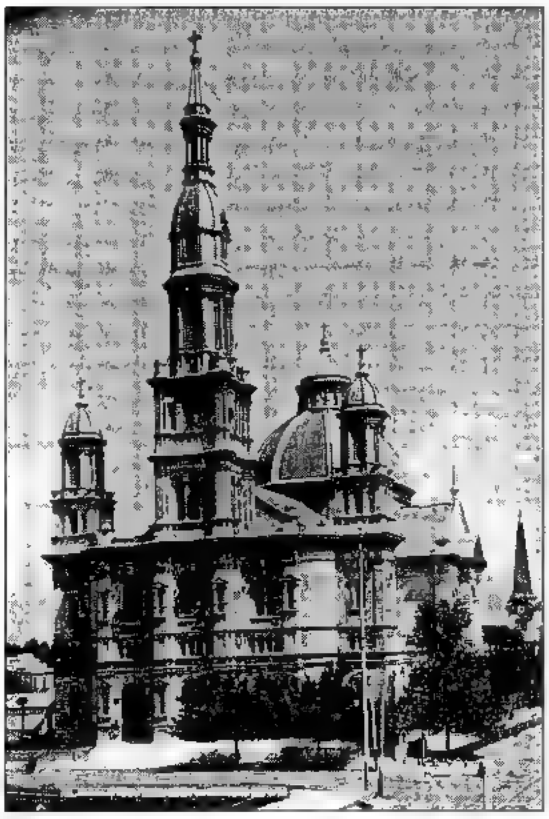
The church has many beautiful stained glass windows. The *Sacramento Record Union* of June 24, 1889, wrote, "There is no feature in the interior of the building which is calculated to excite so much admiration as the magnificent windows, which form so great an attraction to the eye. The plainest and the most unpretentious are beautiful and some of them are simply superb. All of colored glass are of the finest workmanship known in that art."

One window was the gift of Mrs. E.B. Crocker, two were the gifts of the daughters of Mr. and Mrs. Fair, Birdie Fair Vanderbilt, and Jessie Fair Oelrichs. The St. Mary's parish in Virginia City and many more prominent local citizens also donated windows. Among the many paintings donated for the cathedral was Mrs. Leland Stanford's gift of "The Sistine Madonna," a painting by Rafael Sazio (1488–1520) which Karl Bertting copied in Dresden, Germany, after Mrs. Stanford obtained permission from the owner—the king of Saxony.

Three months later, on Wednesday evening, September 25, a public testimonial dinner honored Bishop Manogue's achievement. The secular celebration drew sixty state and local leaders including the attorney general, secretary of state, state controller, mayor of Sacramento, judges, doctors, non-Catholics, Catholics, and Jews.

In 1890 Bishop Manogue learned he had diabetes. During his critical illness, men worked feverishly to install his gift of bells in the church before he died, but it was not to be. The first time the bells rang they sounded a doleful note announcing Bishop Manogue's death on Ash Wednesday, February 26, 1895. One newspaper described the funeral, "No better evidence was wanted of the personal popularity of the deceased Bishop than that shown by the vast attendance of people of all shades and religious faith to pay respect to his memory." The *Sacramento Bee* donated a full front page to his obituary.

No one described Bishop Manogue better than Catherine Christopher in her article "Bonanza Padre" in *Fortnight* in 1956. Paraphrasing an inscription carved on the California state capitol, "Give me men to match my mountains," she wrote, "Give me men to match Bishop Manogue."



California State Library, Sacramento

One of Bishop Manogue's finest accomplishments, the Cathedral of the Blessed Sacrament in Sacramento.

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EDMUND J. DAVIS
The Governor Texans Love to
HATE

By Michael D. Brockway

The day after Edmund Jackson Davis died on February 7, 1883, the local newspaper in Austin, Texas, carried a poignant obituary, describing Davis the private citizen in glowing terms. "He was a gentleman of culture and refinement," it avowed, "courteous, gentle and refined in his bearing, devoted to his family, true to his friends."

Faithful to the adage of not saying anything if there's nothing nice to say, the lengthy death notice contained only a discreet reference to the deceased's four-year term as Texas' fifteenth governor. "Of Mr. Davis' political record," the flowing commentary politely noted, "it is not proper to speak."

The newspaper gauged its readership well. After all, what Texan at the time did not know of Davis, the radical Republican governor who fostered animosity in every quarter of the Lone Star State? Even today, some historians continue denouncing Davis, labeling his tenure as "the worst of all Reconstruction administrations" and vilifying him as "Texas' most despised citizen."

"The election of General Davis as presiding officer indicates that the course of the Convention will be straight forward and outspoken, governed by the most ultra principles of human liberty and justice, wherever principle is at stake there will be no compromise."

Davis first set foot on Texas soil at age eleven when his family moved from their native state of Florida to Galveston in 1838. He later studied law in Corpus Christi and started practicing there before moving to Laredo, where he served as deputy collector of customs from 1850 to 1852.

In 1853, Davis was elected district attorney of Brownsville. One year later he was named district judge for the Rio Grande Valley district. In 1858, he married Ann Britton of Corpus Christi. They made their home in Brownsville until the outbreak of the Civil War in 1861.

Davis ran unsuccessfully for election as a county delegate to the state's secession convention, scheduled for January 28, 1861. Most historians cite that defeat as the rationale behind Davis' subsequent estrangement from the Confederate cause. Many of his contemporaries, however, believed his opposition to secession was sincere, much like the

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personal conviction attributed to Texas governor Sam Houston.

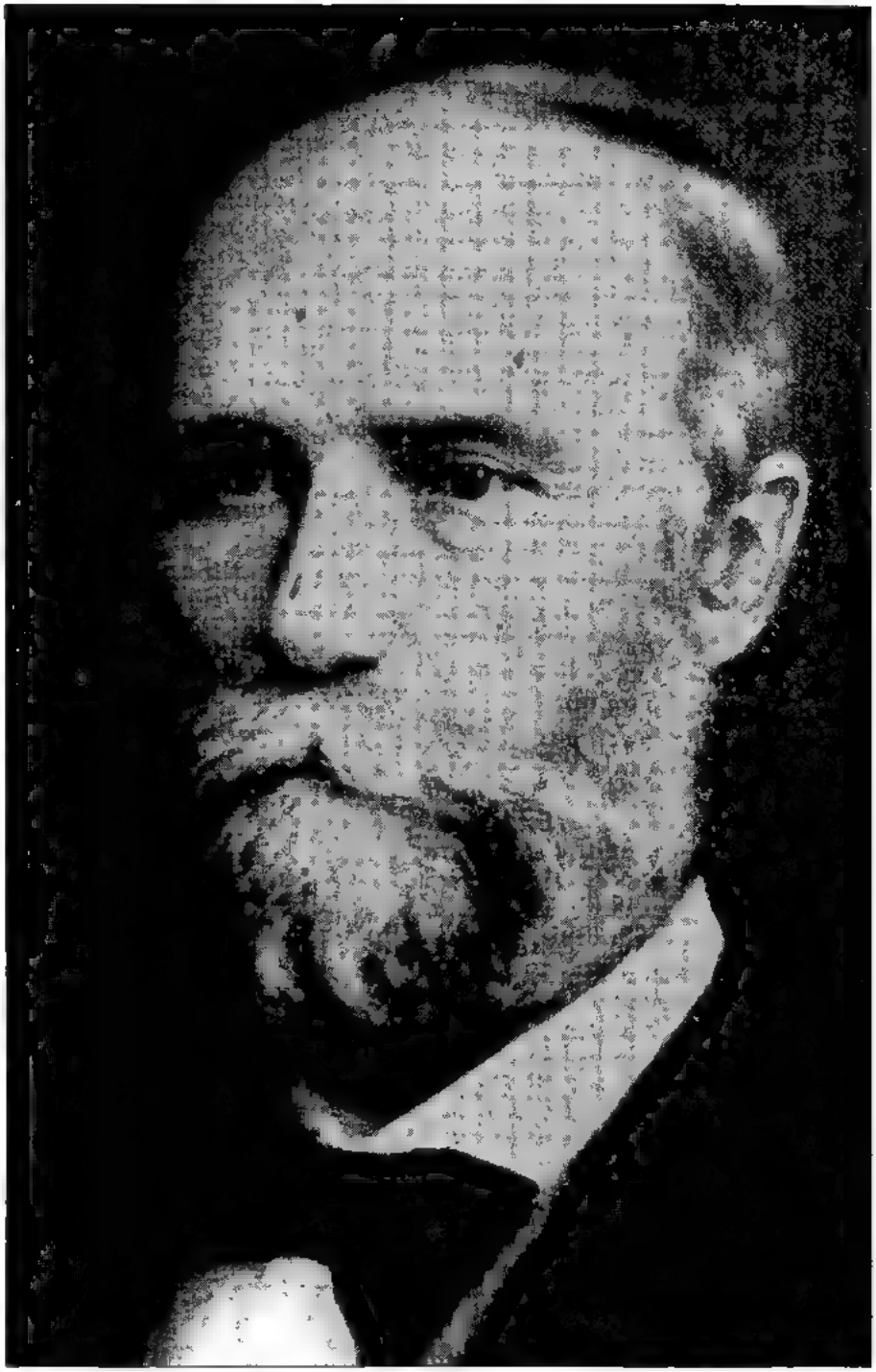
Whatever his reasons, after the Lone Star State formally united with the Confederacy on March 5, 1861, Davis rankled his Rebel neighbors by crossing into Mexico and joining the Union army.

While not glamorous enough for a television mini-series, Davis' exploits during the war certainly contributed to his unpopularity among indignant Confederate factions in his home state.

As a colonel of Texas Unionists, Davis first organized a regiment of cavalry near Matamoros and harassed Confederate troops on the Texas side of the border. In March 1864, he led a force of around 200 in an unsuccessful attempt to capture Laredo. Less than a month later, he participated in General Nathaniel Banks' ill-fated invasion of Texas during the battle at Mansfield. Shortly after that encounter, Davis received a promotion to brigadier general.

WHEN THE Civil War ended in April 1865, Davis turned down an offer by the Union military government to serve as chief of the Texas Supreme Court. Instead, he and his wife returned to their home in Brownsville.

Presidential Reconstruction in Texas required the election of delegates to a constitutional convention in February 1866. Davis succeeded in becoming a delegate to this convention and quickly grasped control of the radical Republican minority. The conservative majority, however, ultimately prevailed, passing ordinances concerning the status of freed slaves and secession in opposition to the tenets championed by Davis Republicans. Although more civil rights were granted to freed slaves in Texas than in any other southern state, radical Republicans had fought for even broader privileges. The vote dealing with Texas' secession also disappointed the radicals. While the vote declared secession null and void, it did not brand the original act of secession an illegal action, as the radicals wanted.



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Edmund Jackson Davis, the radical Republican who served as Reconstruction governor of Texas.

After providing for state-wide elections in June, the convention finally adjourned on April 2.

Texas elected two prominent secessionists as United States senators in 1866, mirroring a trend throughout the South of returning pre-Civil War and Confederate leaders to political power. Disappointed with that and other unrepentant behavior, the United States Congress enacted a new, more restrictive reconstruction act on March 2, 1867.

Known as Congressional Reconstruction, the plan divided the South into military districts, declared all state governments provisional, and detailed the process for rejoining the Union.

One of the major steps for reuniting with the North required framing

a state constitution which conformed to that of the United States, so another constitutional convention convened in Austin on June 2, 1868. Davis won election as president of the convention by a vote of forty-three to thirty-three. The June 6 *San Antonio Daily Express News* heralded his victory. "The election of General Davis as presiding officer indicates that the course of the Convention will be straight forward and outspoken, governed by the most ultra principles of human liberty and justice, wherever principle is at stake there will be no compromise."

During the convention, however, Davis garnered state-wide disfavor by supporting a move to divide Texas into three states. He even served on a committee charged with drafting a constitution for the proposed new state of West Texas. Although approved by a majority vote of the convention, the divisionist plan was ultimately rejected by the United States Congress.

After two sessions of heated debates and incessant squabbling, the delegates finally approved a new constitution. The voters of Texas approved it by a vote of 72,466 to 4,928 during state-wide elections in November 1869. Davis headed the Republican ticket and won the election by a mere 809 votes amid numerous accusations of ballot tampering and other election frauds. Nevertheless, General J.J. Reynolds, Commander of the District of Texas, appointed Davis the state's provisional governor on January 8, 1870.

On March 30, 1870, President Ulysses S. Grant finally signed the bill readmitting Texas into the Union. Dropping the term "provisional" from his title, Davis issued a proclamation on April 2 announcing Texas' return to the United States. After nine long years, the reconstruction of Texas was legally complete.

In his inaugural address on April 29, 1870, Governor Davis promised positive reforms. "This day the government of your state and the control of your destinies is handed over to you," he assured his constituents.

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Texas Governor and Mrs. E J. Davis in 1870.

IN CONTRAST to his inaugural vow, Davis moved quickly in establishing a state militia and state police under his own autocratic control. Consisting primarily of freed slaves, the state police force was officially organized on July 1, 1870. Initially comprised of 125 privates and 20 officers, it replaced the Texas Rangers, the state's legendary law enforcement brotherhood, originated by Stephen F. Austin in 1823 but inactive since the end of the Civil War.

Private citizens as well as the press lodged many serious complaints with Davis against members of the state police. Whatever good the officers may have done was overshadowed by accusations ranging from murder and robbery to extortion and excessive force. Even Morgan C.

Hamilton, a United States senator from Texas, ridiculed the state police. "As a class," he said in August 1871, "they are the most wolfish-looking set of men that have ever been employed on any public duty in the country."

Davis ignored the criticism and eventually increased the size of the force to around 250 members. In areas of the state where resistance proved threatening, the governor often proclaimed martial law, further decreasing his popularity.

Thanks to the radical majority in control of the Texas legislature, Davis continued amassing power. He received complete control over the registration of voters and appointed more than 8,000 public officials. From the Texas Supreme Court to county clerks and even city mayors, Davis placed friends of his administration in strategic positions throughout the state.

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Ann Elizabeth Britton Davis.

DAVIS EARNED the disdain of citizens living along Texas' turbulent frontier by advocating a lenient Indian policy. He commuted the death sentences to life imprisonment for Kiowa chiefs Satanta and Big Tree, who were convicted in July 1871 of leading the infamous Warren wagon train massacre. In late 1873, Davis further infuriated his frontier constituents by paroling the two offenders back to their tribe.

But even the Davis administration realized its share of auspicious achievements. It enacted the celebrated Texas homestead act which granted 160 acres of public domain to married settlers and 80 acres to their unmarried counterparts. Other progressive laws enlarged and improved the state's public school system and offered generous subsidies to towns and cities for badly needed internal improvements. Even a gun control bill aimed at eliminating the widespread practice of carrying sidearms passed, but was impossible to enforce.

Despite its laudable accomplishments, the Republican party began losing control when the Democrats gained a majority in the Thirteenth Texas Legislature in November 1872. When the legislature met the following January, it modified many of Davis' powers. He lost the authority to declare martial law, and a bill disbanding the state police passed over an executive veto. John Henry Brown, the legislator who sponsored the repeal, telegraphed an excited victory message to his hometown paper after his bill passed. "The police law is abolished over the Governor's veto," he wired. "Glory to God in the highest; on earth peace, good will towards men."

The legislature also maneuvered Davis into approving a new election law and signing a constitutional amendment calling for a general election later in the year.

TEXAS VOTERS dealt the Republicans a harsh defeat during the state-wide elections conducted in December 1873. Democrats seized control of both branches of the legislature and elected United States congressmen from all the districts. The most crushing blow came when the votes for governor were tallied. Davis lost to Richard Coke by a two to one margin, 85,549 votes to only 42,633.

In a frenzied attempt at remaining in power, Davis tried having the election declared unconstitutional. He referred the matter to his personally appointed state supreme court, which ruled that the amendment to the state constitution on election procedures that Davis had signed earlier in the year was illegal because of a misplaced semicolon. The Democrats ignored that blatant attempt at having the election results thrown out and continued preparing for their takeover.

Davis remained unwilling to relinquish power. He issued a proclamation on January 12, 1874, prohibiting the legislature from assembling. The Fourteenth Legislature, however, met the next day, took possession of the election returns, and declared Coke officially elected. Later that night, Coke and his lieutenant governor, Richard B.

Even the Davis administration realized its share of auspicious achievements. It enacted the celebrated Texas homestead act which granted 160 acres of public domain to married settlers and 80 acres to their unmarried counterparts. Other progressive laws enlarged and improved the state's public school system and offered generous subsidies to towns and cities for badly needed internal improvements.

LICENSED MATERIAL
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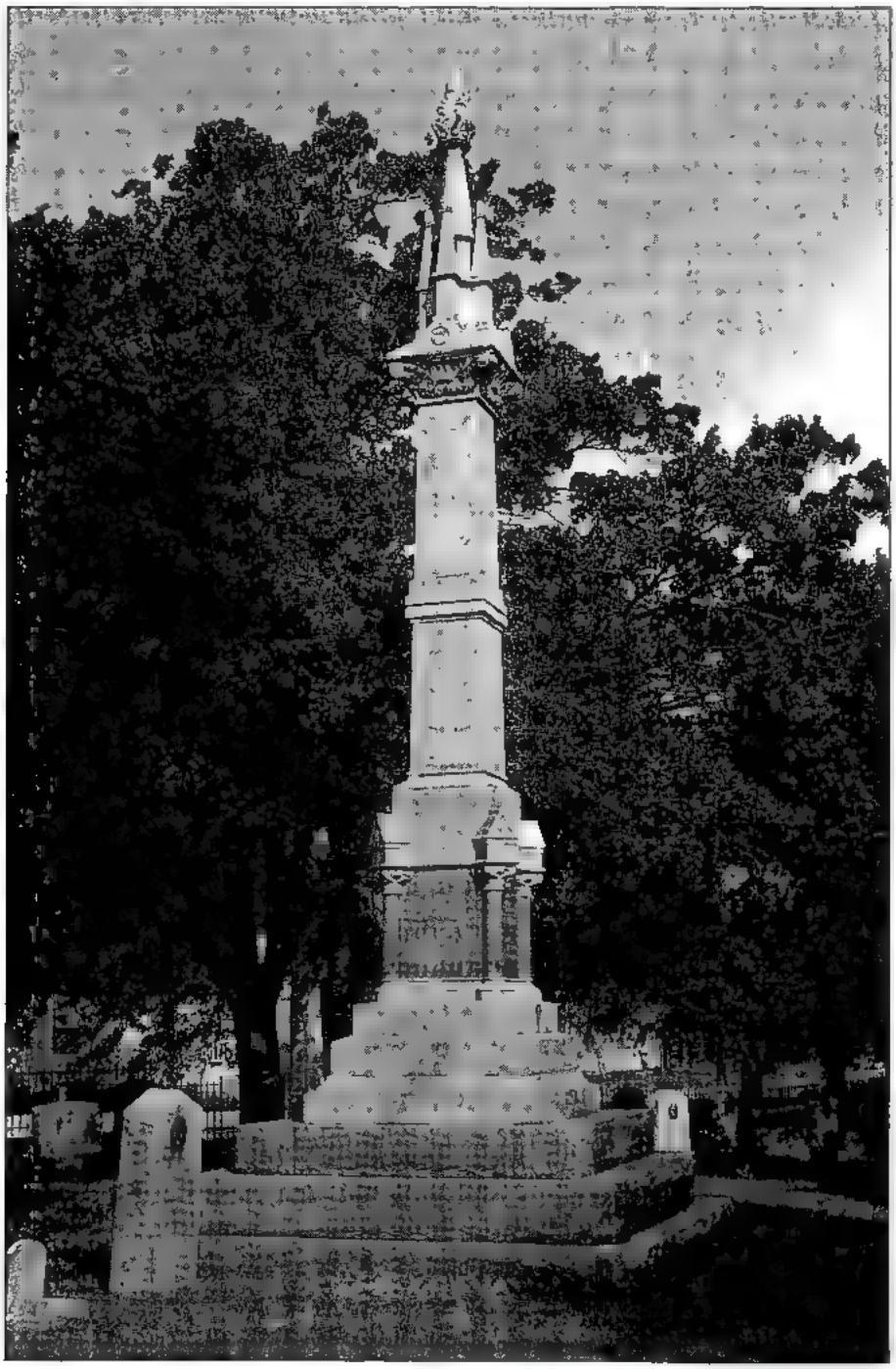
Hubbard, were inaugurated into their respective offices.

Davis even wired President Ulysses S. Grant, pleading for federal troops to support the supreme court decision. Grant replied quickly, asking, "Would it not be prudent, as well as right, to yield to the verdict of the people as expressed by their ballots?" When informed of the president's refusal to intervene, Davis' wife, Ann, became so enraged that she removed an elegant portrait of Grant from the wall at the governor's mansion and shoved her foot through his face.

E.J. Davis expressed his disappointment in a more chilling manner. Surrounding himself with Republicans from the Thirteenth Legislature and guarded by remnants of his state militia, he took over the first floor of the capitol in Austin on January 13 while Richard Coke convened the Fourteenth Legislature on the floor above under the protection of the local marshal.

For the next four days, Texas had two governors and two state governments. Armed confrontation seemed imminent. Finally, on January 17, Davis received another message from President Grant encouraging him to give up and go home. Bitter and discouraged, Davis took the president's advice and quietly vacated the capitol later that night. Before leaving, however, he locked the governor's office door so Coke would have to break in with an axe.



Michael D. Brockway

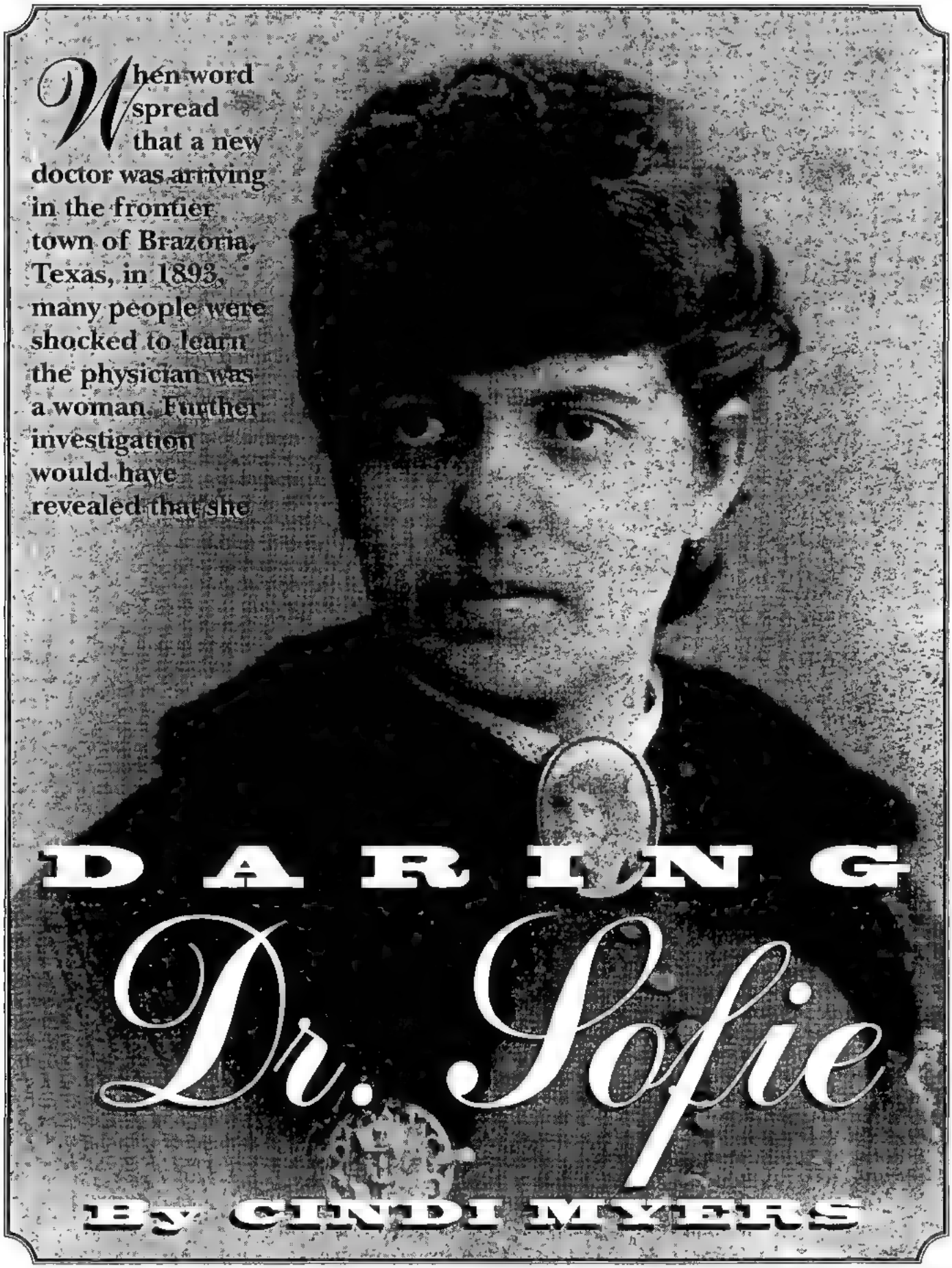
E J. Davis' monument in the Austin State Cemetery. The cemetery's tallest monument, it towers above even the nearby bronze statue of Stephen F. Austin, the father of Texas.

THANKS TO the Davis legacy, more than one hundred years would pass before Texans elected another Republican governor. Some current historians, however, are questioning Davis' tarnished reputation.

"Davis is being reassessed right now," says Michael Green, reference archivist at the Texas State Archives in Austin. "The problems that Texas experienced during reconstruction have been laid at his feet and that's not necessarily the case. He wasn't quite the devil he's been painted in earlier studies."

After abandoning the capitol, Davis practiced law in Austin for the next six years in preparation for a political comeback. In 1880, he ran for governor but lost to the Democratic candidate, O.M. Roberts, by over 100,000 votes. Two years later, Davis launched an unsuccessful bid for the United States Congress.

When Davis died a year later at age fifty-six, his brother arranged for burial on the most prestigious knoll in the state cemetery in Austin. Davis' graceful monument towers above all the rest, including the bronze statue of Stephen F. Austin, the father of Texas.



When word spread that a new doctor was arriving in the frontier town of Brazoria, Texas, in 1893, many people were shocked to learn the physician was a woman. Further investigation would have revealed that she

DARING Dr. Sofie

By CINDI MYERS

Archives Division—Texas State Library

Sofie Herzog, the daring doctor of Brazoria, Texas.

was a widow with fourteen grown children, and that she was moving to Texas all the way from New York City. What kind of a woman was she?

Anyone who awaited Dr. Sofie Herzog's arrival expecting some grandmotherly midwife must have been dumfounded at the attractive, energetic, and highly skilled physician who confronted them. Only forty-five years old, Dr. Herzog was a graduate of a Vienna, Austria, university, where she had trained with some of the most prestigious physicians of the day. She had managed a successful medical practice in New York, but went to Texas for the same reason many other people did—adventure!

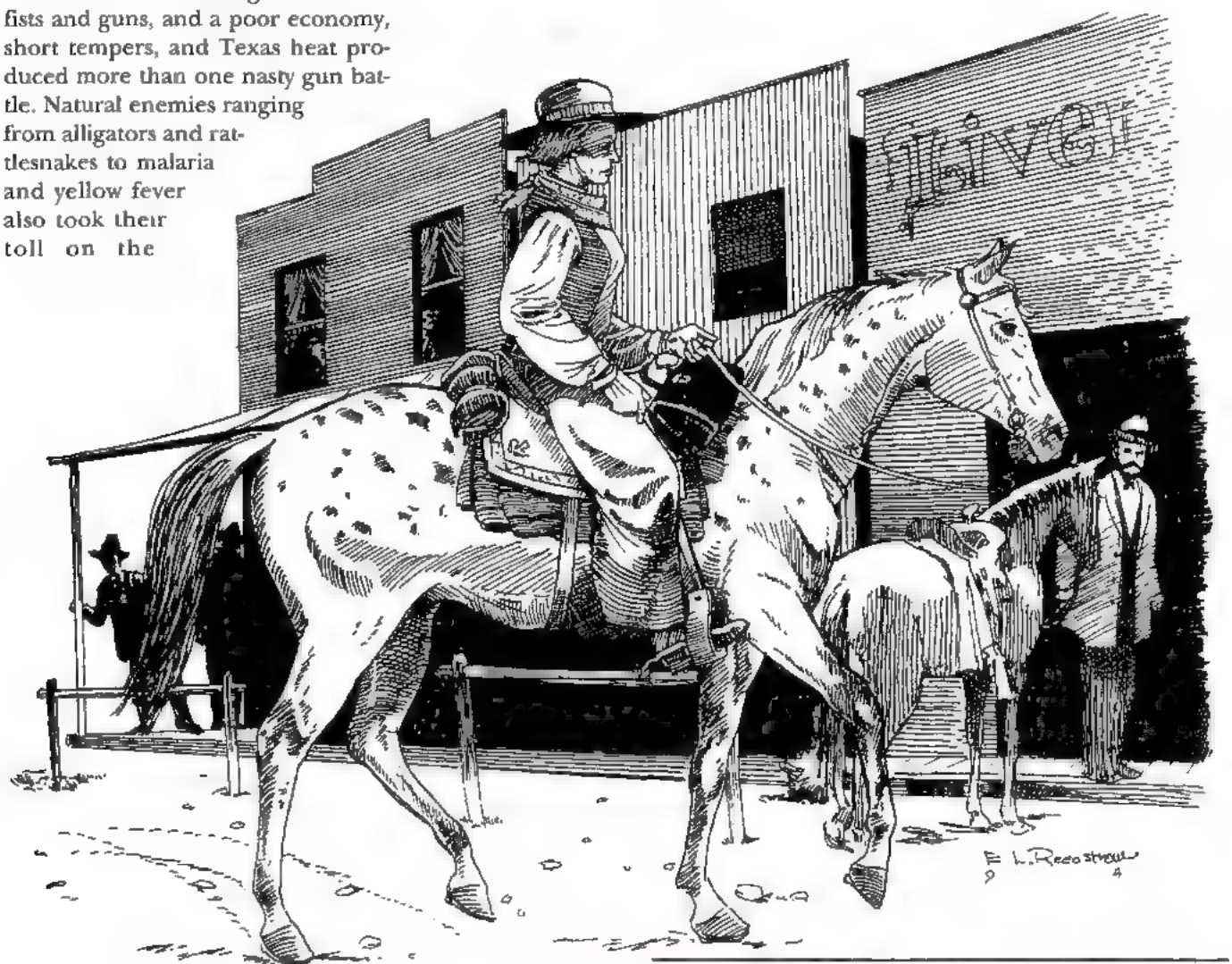
Thick woods, palmetto marshes, and overgrown fields made up the Brazos River bottomlands in the 1890s and offered outlaws plenty of hiding places. In Brazoria, men continued to settle their arguments with fists and guns, and a poor economy, short tempers, and Texas heat produced more than one nasty gun battle. Natural enemies ranging from alligators and rattlesnakes to malaria and yellow fever also took their toll on the populace. In a place that needed a brave physician, Dr. Sofie Herzog found her home.

Physicians were still a rarity in that part of the country, and female or not, "Dr. Sofie," as she became known, had little trouble establishing her medical practice. She quickly impressed—and at times astounded—her patients with her medical skill and seeming disregard for conventions of the day.

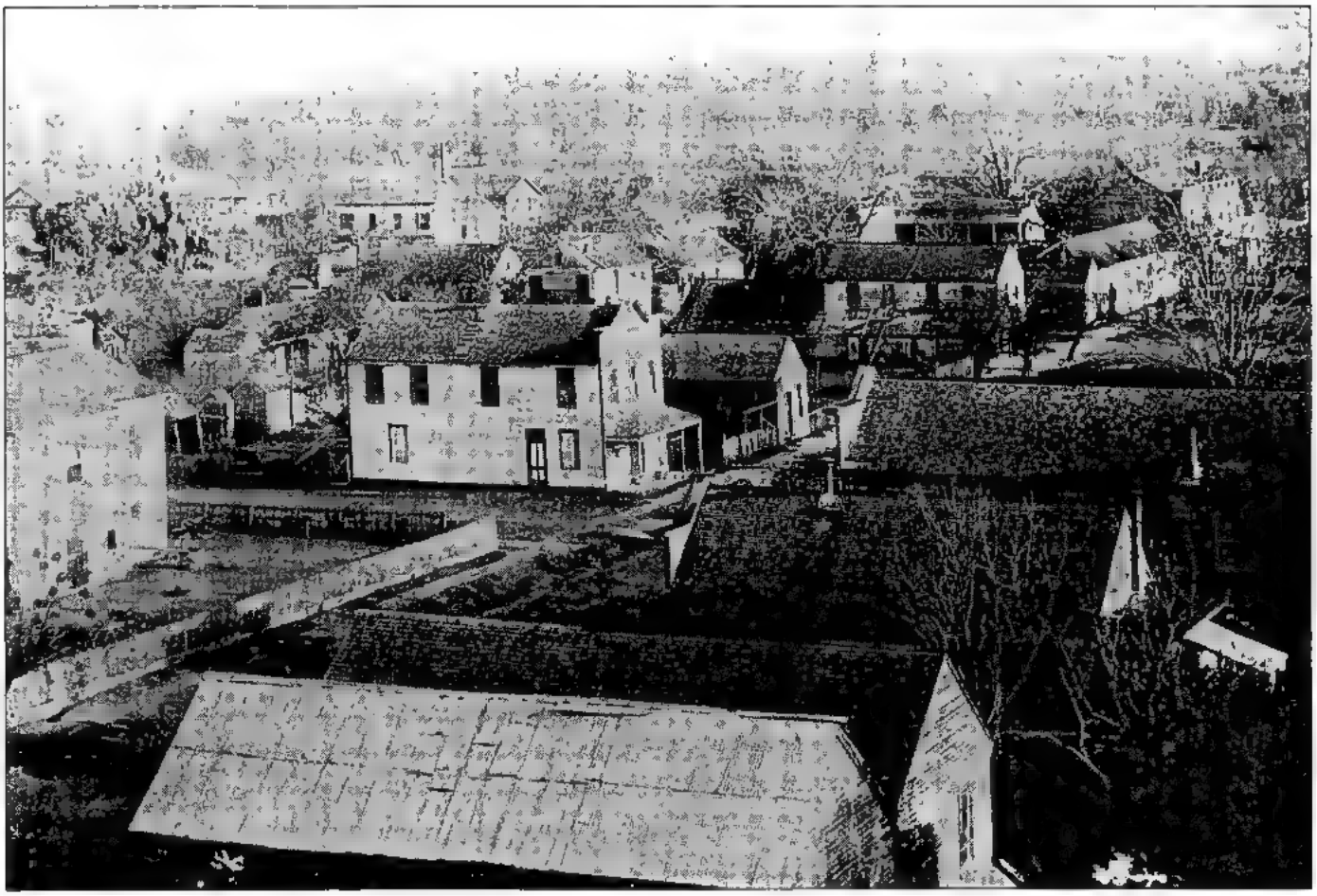
At a time when fashion dictated that women wear their hair long and coiled atop their heads, Dr. Sofie cut her brown curls short. After discovering that muddy streets made buggy travel difficult, she bought a horse and had a local seamstress make her a divided skirt. Thereafter people often saw her riding through town astride her horse, a man's hat shoved down over her short hair, hurrying to another case.

Dr. Sofie quickly earned a reputation for removing bullets. She so delighted in the compliments that she had a necklace made of bullets she removed from patients, a gold bead threaded between each slug. The necklace eventually had twenty-four bullets, and Dr. Sofie wore the unique piece of jewelry often, claiming it brought her luck. The really lucky ones, however, were the patients under Dr. Sofie's care.

Sofie was born in Austria in 1848; her father was an internationally known surgeon. She was only fourteen when she married her husband, also a surgeon, and in twenty-six years of marriage they had



Illustrations by E. LISLE REEDSTROM



Brazoria County Historical Museum

Market Street in Brazoria, Texas. The town was rough and wild when Dr. Sofie arrived in 1893 and provided her with plenty of patients.

fourteen children, including two sets of twins. Caring for her large family was not enough for Sofie. She studied medicine as a way to help her husband, and continued to assist him when he moved his practice to New York in 1886.

The Herzogs had been in the United States only a few years when Sofie's husband died. She continued to practice medicine in New York until 1893, when she decided to follow her youngest daughter, Elfriede Marie, and her husband, Randolph Prell, to Texas.

Medicine at the time was not a profession for the fainthearted. Among the instruments considered essential for any doctor were a saw for amputations and pliers for pulling teeth. Doctors had no antibiotics and few pain killers besides whiskey and, occasionally, morphine. Blood-letting continued as an established medical procedure until late in the nineteenth century, and Dr. Sofie's black bag would certainly have contained a fleem or lancet for producing puncture wounds to release blood. Doctors of the time also used leeches to draw blood, although special medicinal leeches were preferable to those Dr. Sofie could have found in the local streams.

Medicine at the time was not a profession for the fainthearted. Among the instruments considered essential for any doctor were a saw for amputations and pliers for pulling teeth. Doctors had no antibiotics and few pain killers besides whiskey and, occasionally, morphine.

Tonics and patent medicines were very popular, and pitchmen widely advertised their fantastic claims. Most people relied on home remedies for common illnesses and accidents and called a doctor only as a last resort. Physicians like Dr. Sofie depended on quinine, calomel, mustard plasters, and castor oil to treat most ailments, and they relied heavily on their own knowledge and common sense.

Dr. Sofie lived with the Prells when she first arrived in Brazoria, and she practiced out of their house. Soon, however, she wanted her own place. She had a three-room office built on Market Street, with living quarters in the back. Randolph wor-

ried about her living alone and offered her a gun, but she refused the weapon.

Even without a gun, Sofie could look after herself. When one visitor gave her trouble and refused to leave her office, Dr. Sofie grabbed a poker from the fireplace and banished him

"I want no odds because I'm a woman," Dr. Sofie said, and indeed, it seems her sex never kept her from doing what she wanted. In 1905, when construction began on the St. Louis, Brownsville and Mexico Railroad, Sofie applied for the post of railroad chief surgeon. She had already cared for many of the railroad's workers, and her former patients praised her abilities; she had little trouble winning the job.

Apparently the railroad officials had no idea that their new company doctor was a woman. Upon learning that startling news, they promptly asked Dr. Sofie to resign.

"I'll keep this job so long as I give satisfaction," the doctor replied. The matter ended there. Dr. Sofie repeatedly proved her abilities, traveling by horseback, boxcar, engine, or handcar to reach her patients along the railroad line. She held the job for thirty years. Her business cards, engraved in ornate letters, bore the inscription "Local Surgeon, St. Louis, Brownsville and Mexico Railroad Company."

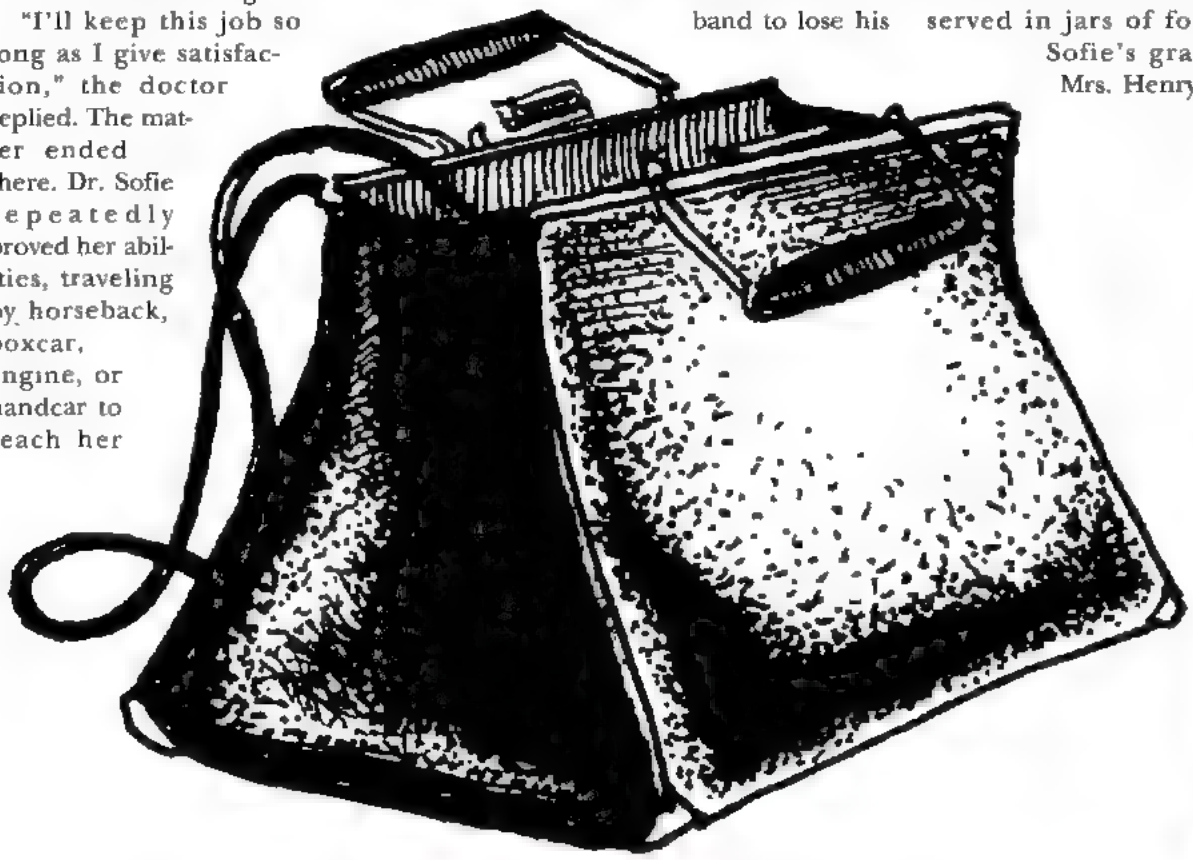
Apparently the railroad officials had no idea that their new company doctor was a woman. Upon learning that startling news, they promptly asked Dr. Sofie to resign. "I'll keep this job so long as I give satisfaction," the doctor replied. The matter ended there. Dr. Sofie repeatedly proved her abilities, traveling by horseback, boxcar, engine, or handcar to reach her patients along the railroad line.

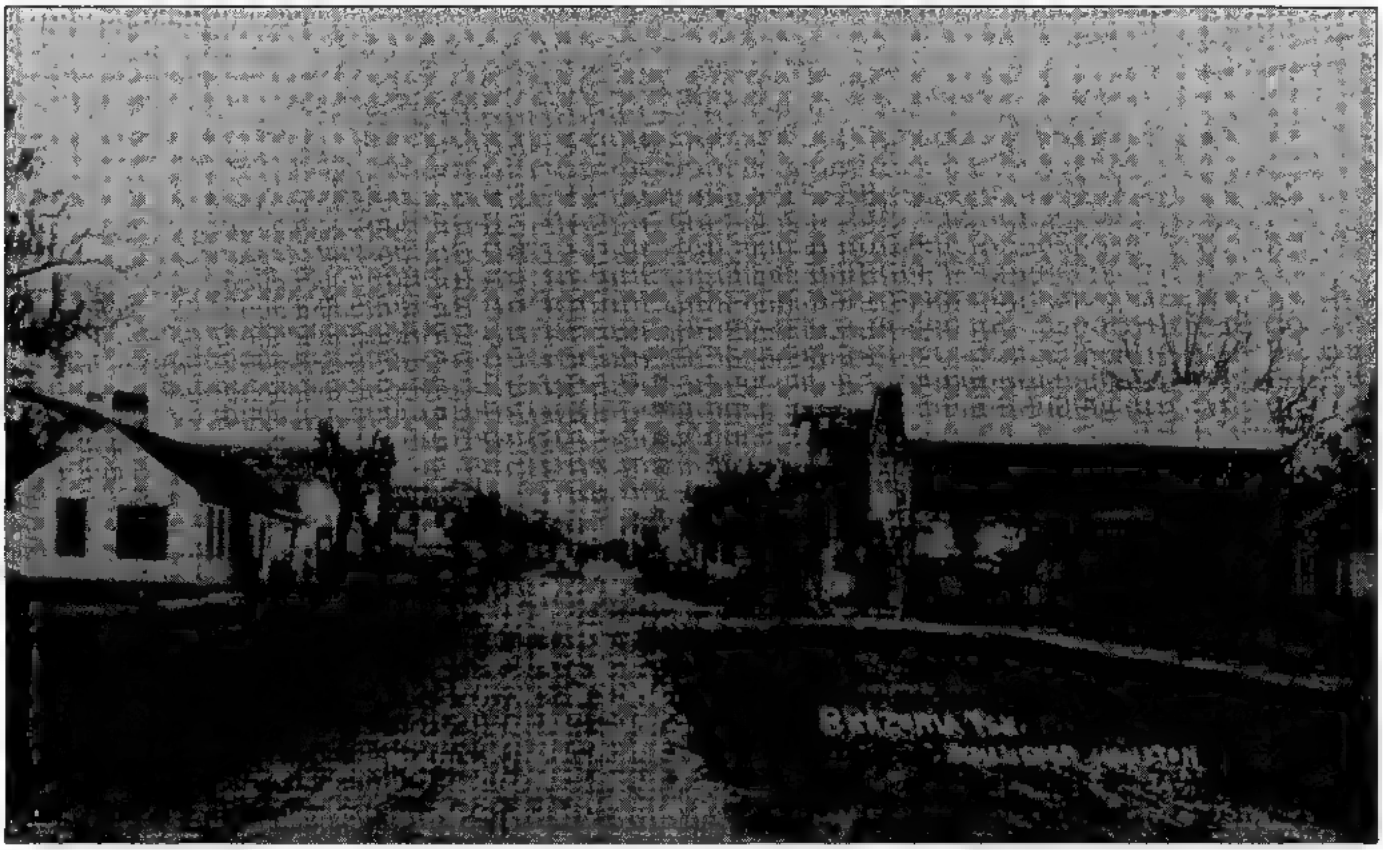
Once after securing the railroad job, Sofie was at a party with friends and barely escaped injury when a bullet tore through a door inches from her head. A local woman who wrongly thought Sofie had caused her husband to lose his job with the railroad had fired the shot. While others around her panicked, Dr. Sofie maintained her characteristic calm and shrugged off the incident.

Though she lived a rugged lifestyle and competed in a masculine world, Dr. Sofie never let it be forgotten she was a woman. She remained close to her fourteen children and loved to talk about her grandchildren. She enjoyed needlework and kept a workbasket in her office so that she could sew or crochet in her free time.

But needlework would not have been the first thing visitors noticed when visiting Dr. Sofie's office. She decorated the small building with many wild animal skins, stuffed animal specimens, a collection of walking sticks, and her own personal medical museum, complete with specimens of several premature or still-born babies (one with two heads and three arms) preserved in jars of formaldehyde.

Sofie's granddaughter, Mrs. Henry Harang, had





Brazona County Historical Museum

Old Town Brazona before 1911.

the babies buried after Sofie died. The other specimens were donated to the University of Texas Medical School at John Sealy Hospital in Galveston.

The Brazos River bottoms were a haven for rattlesnakes, and Dr. Sofie added many rattler skins to her collections. Locals frequently brought dead snakes to her, and she hung them on the side of her buggy house, skinned them herself, and mounted the finished product on wide red ribbons to decorate her office walls.

When Dr. Sofie expressed a desire for an alligator to add to her collection, a townsman delivered one to her office. Unfortunately, the beast was still alive. After lying stunned on the floor for a few moments, the animal began thrashing about. Once again, Dr. Sofie defended herself with her trusty poker.

In addition to her own office, Dr. Sofie built two other buildings in town. After a disagreement with the local Catholic church over maintenance of their little cemetery, Dr. Sofie joined her daughter and son-in-law in the Episcopalian congregation and financed the construction of a new church. She also built the Southern Hotel, a two-and-a-half-story edifice that provided lodging for visitors and served as the site of many balls and meetings.

Ever the trendsetter, Dr. Sofie was one of the first people in Brazoria to purchase an automobile. She took driving lessons from the salesman and soon began making her rounds behind the wheel of a Ford runabout.

At sixty-five, Dr. Sofie married for the second time. Her groom was Colonel Marian Huntington, five years her senior. But neither marriage nor age could stop Dr. Sofie; she continued to practice medicine for the rest of her life.

By the time Dr. Sofie died in July 1925, the rough and tumble town of Brazoria had shed most of its wilder ways. Dr. Sofie had seen a lot of changes in her thirty-two years there, but she never forgot her early adventures. At her request, she was buried with her "good luck" bullet necklace.

Catalina's Pi

By RICHA

Otto Zahn probably never heard the adage, "Find a need and fill it," which explains one way of getting rich. Nevertheless, Zahn found a need and filled it. With the help of some well-trained pigeons, he started the first regular "airmail" service in the United States—from Santa Catalina Island to Los Angeles—nine years before the first airplane even flew!

Catalina was one of California's first prestige resorts. By 1894, it had become a special retreat, an island Mecca for the social elite. The vacation season began in June when wealthy folks from all parts of California filled Avalon to overflowing

Island access was easy with twice-a-day runs by the steamship *Hermosa* from San Pedro to Avalon. Rapid communication between island and mainland, however, was another matter. Neither telegraph nor telephone cable spanned the channel, and the radio hadn't been invented. If there were some desperate need for contact between island and Los Angeles, it took at least six hours for a boat to travel to the mainland and return.

A flyer Otto used to promote the pigeon service

Some vacationers relished Santa Catalina's isolation; it was like going off to an island in the mid-Pacific without taking a long sea voyage. On the other hand, some vacationers, especially those trying to keep tabs on the stock market, their businesses, or world affairs, took a less favorable view of the island's seclusion.

Otto Zahn perceived tremendous opportunity in the lack of rapid, reliable communication between Catalina and the mainland, and he grasped a way to span the Catalina channel—fast.

Zahn owned seventy-five homing pigeons, and he knew he could train them to fly messages from Avalon to

ɔeon Express

BAUMAN

the mainland, and vice-versa. Ultimately, his idea would become the Santa Catalina Island Homing Pigeon Service.

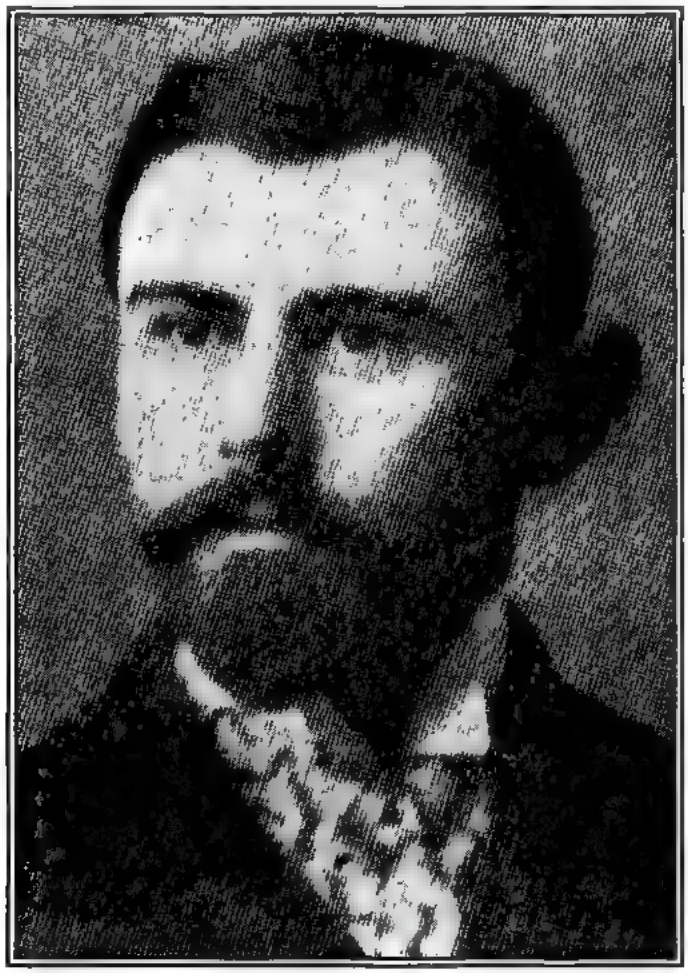
As bizarre as a "pigeon express" might sound today, it was the best hope vacationers and residents of Catalina had for speedy communication. Western Union wasn't in a hurry to lay a telegraph cable from the mainland to the island. As the vacation season was only in the summer, the immense cost of a cable far outweighed the little business it would generate.

Otto had made arrangements with Hancock Banning, the owner of Catalina Island, to build an office and loft on the wharf at Avalon. Otto's plan was simple enough. He would train birds bred in Catalina to fly from Los Angeles to their home loft on the island and back again. By being able to fly both ways, Zahn's pigeons could provide service not only from Catalina to the mainland, but from the mainland to Catalina, too.

Otto wangled a contract out of the Los Angeles *Times* to fly daily social news from Avalon to Los Angeles during the vacation season. By the time he arrived on the island on July 12, 1894, word had already spread that a communications service between Catalina and Los Angeles was just days away. As he stepped off the boat with dozens of crude cages full of pigeons, summer guests on Catalina were waiting on the waterfront to see him.

Otto had meticulously trained his birds. He and his brothers made dozens of trips on the *Hermosa* so the birds could be released at longer and longer distances from the mainland. In the process, the birds determined the most favorable routes to their home lofts over long distances.

On the training missions, Otto studied every detail of the flights: how well the birds navigated their way home, how long it took them, and mistakes they made. He learned a great deal about the special nature of pigeons. For example, Otto was surprised to find young "single" male pigeons weren't as reliable as older males with mates and offspring. They strayed off course and more easily got lost. Otto confirmed that most carrier pigeons fly about thirty miles an hour, sometimes faster. One of Otto's birds, a spectacular pigeon named Orlando, once flew forty-eight miles in fifty minutes on a training flight!



Catalina Historical Society

Otto Zahn, founder of Catalina's "Pigeon Express."

The pioneer mail service was a prime topic of conversation on Catalina. When Otto showed up at one of the hotels, people inundated him with questions. He answered them as he handed out flyers about the Pigeon Express. "There will be two scheduled flights a day," he told his audience. "I will use no less than two pigeons per flight, and as many as four, depending on how many messages there are."

On morning flights, messages cost a dollar each. Missives traveling on afternoon flights cost only fifty cents. The prices were different because the Los Angeles *Times* subsidized the afternoon flight, which included the daily news.

MESSAGES HAD to be penned on special, lightweight onionskin forms, no larger than three-and-three-fourths inches by two-and-one-half inches. Otto put no limit on the number of words per message, as long as they fit on the tiny forms. Each form constituted a single message.

Otto folded the strips of paper lengthwise into half-inch wide strips, then wrapped them around a pigeon's legs and tied them in place. One bird could carry twenty to thirty messages.

Otto even had a backup system to help assure delivery of messages. He had ordinary notes written in duplicate and sent by two birds; he had news dispatches written in triplicate and used three birds to deliver them.

On the inaugural flight, nearly everyone in Avalon sent a message to the mainland. Otto had planned to use just two birds but had to use two extra birds to meet demand. The pigeons' legs appeared swollen because of the many messages tied to them.

Otto's favorite pigeon, Orlando, led the first flight. Three less-experienced birds flew with him. Even though it was a gray, overcast morning, nearly everyone in Avalon stood shivering at dockside, eager to see the maiden mission of the Pigeon Express

Zahn touted his pigeon messenger service as the best way to get messages from Catalina to "the outside world."

depart. Otto's hands trembled ever so slightly as he liberated his pigeons. They flew to several hundred feet above Avalon, circled and abruptly headed across the channel toward Los Angeles.

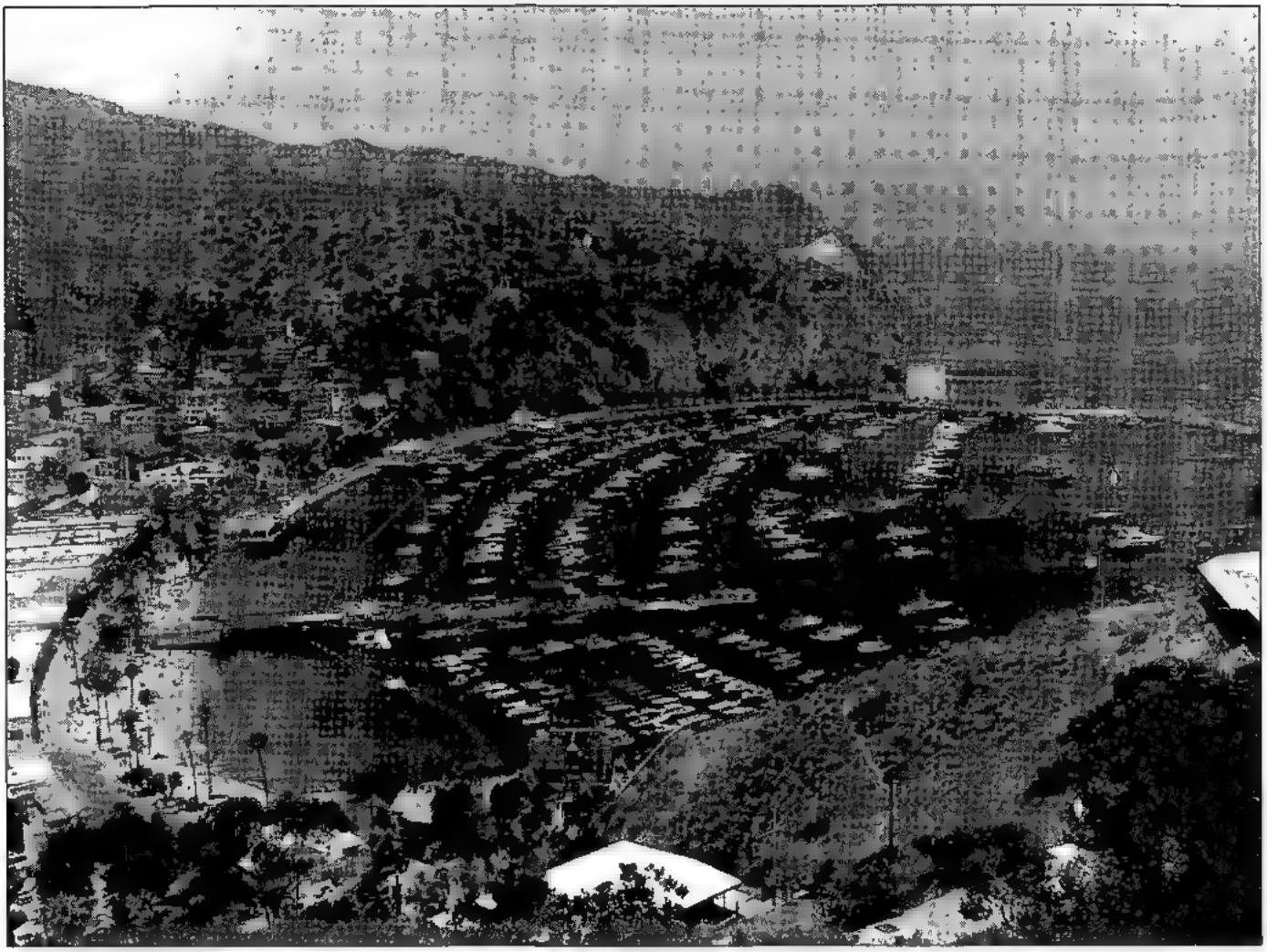
In Los Angeles, Oswald Zahn, one of Otto's younger brothers anxiously waited. The mantel clock showed the time to be nearly 10:30 A.M. By his calculations the Pigeon Express should swoop into the loft above the Zahns' Bunker Hill home within a minute or two. He kept a nervous vigil, every few minutes looking out the upstairs window into the foggy, overcast. He expected the birds to burst suddenly through the clouds any second.

OSWALD GREW anxious. When the clock struck 11:00 A.M. the birds still hadn't arrived. Otto had launched them at 9:30 A.M., and they should have landed at Bunker Hill about an hour later. Oswald kept reminding himself that the lead bird, Orlando, was resourceful. "He probably flew above the overcast," Oswald explained to his younger brother, Lorenzo, "so he could find his way home."

A few minutes after eleven, he heard a bell ring in the loft. One of the birds had arrived and had tripped a lever that rang the bell. The first bird home was Orlando. A minute or two later, the other birds flew in, ringing the bell and registering arrival times.

Oswald and Lorenzo deftly unwrapped and sorted the messages. Two had out-of-town destinations and, for a small service charge, were telegraphed to their recipients. The brothers put the other messages in envelopes, and Lorenzo delivered them on his bicycle.

As guests on Catalina settled into a routine of sending messages, Otto



Author's Photo

A view of modern Avalon Harbor on Santa Catalina Island, where Zahn's pigeons left on their courier flights

followed a generally unwavering system. He collected mail from a special box in front of Catalina's premier hotel. He wrapped messages around the legs of his pigeons, and sent them heading for Los Angeles, exactly on schedule. Most of the messages were nothing but social banter, and notes letting those on the mainland know about planned departures or trophy fish someone caught off the coast of Catalina.

The pigeons occasionally flew emergency flights, summoning doctors to the island for serious cases. Once a bird even called the police to Catalina. Someone had spotted a wanted man operating Avalon's target-shooting concession. After receiving a message, deputies hurried to the island and easily arrested the ne'er-do-well.

Only once did the pigeons refuse to fly across the channel. They circled Avalon, then inexplicably landed in some trees, refusing to budge. Mystified, Otto returned the money to those whose messages the birds had failed to deliver. The next morning when the daily steamship arrived, the action of the birds became clear. A freak lightning storm and tornadolike winds had raged over Los Angeles; attempting to fly through such weather could have been fatal for the pigeons.

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The Pigeon Express operated until 1898. While the birds could cross the channel faster than steamships and personal boats, they couldn't outrun radio waves. Marconi's invention of the wireless ultimately grounded the Pigeon Express. On the other hand, in the years it flew, the Pigeon Express failed only twice to make scheduled deliveries. Incidentally, although Otto Zahn had found a need and filled it, the Pigeon Express didn't make him rich. In fact, he barely broke even.

Lakota Leader

The Lance and the Shield: The Life and Times of Sitting Bull, by Robert M. Utley. (Henry Holt and Company, 115 West 18th Street, New York, New York 10011. $25.00 cloth bound.)

Sitting Bull (1831–1890), Hunkpapa Lakota chief and holy man, was one of the most prominent Lakota chiefs to confront encroaching whites after the American Civil War. Robert M. Utley's *The Lance and the Shield* gives Sitting Bull the sophisticated biographical treatment he has long deserved.

Sitting Bull's image was distorted during his lifetime and after his murder during the Ghost Dance movement in 1890. Newspapers demonized him as the merciless destroyer of George Custer and the Seventh Cavalry. Show business impresario William F. "Buffalo Bill" Cody presented a dignified Sitting Bull in his Wild West show, while Indian agent James McLaughlin denounced Sitting Bull as an "obstructionist" and a "blanket Indian" because of his devotion to traditional Sioux ways. In reality, Sitting Bull was a conservative man who remained consistently loyal to his values and his people.

In the late 1920s and early 1930s Stanley Vestal (Walter S. Campbell) conducted research among the relatives of Sitting Bull, and Vestal's *Sitting Bull: Champion of the Sioux,* published in 1957, presented a more balanced account of Sitting Bull's life. That book appeared nearly four decades ago, however, and there has long been a need for a modern biography of Sitting Bull.

Prolific historian Robert M. Utley gives Sitting Bull scrupulous and balanced treatment in *The Lance and the Shield.* Utley places Sitting Bull fully within the context of the Lakota culture that shaped his values. The "lance" and the "shield" symbolize the two major periods in Sitting Bull's life. The lance represents the years 1864–1869 when Sitting Bull waged offensive war against tribal enemies. After 1869, when Sitting Bull, Crazy Horse, and other Lakota chiefs decided upon a policy of defensive war against whites, fighting only when soldiers, surveying crews, or other outsiders entered

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the Sioux domain, Sitting Bull endeavored to be a shield, protecting the land and culture of the Hunkpapa for the rest of his life.

The army did not leave Sitting Bull and Crazy Horse alone in their domain. By early September 1877, Crazy Horse was dead, bayoneted by a soldier at Fort Robinson, Nebraska, and Sitting Bull and his followers were in Canada. In 1881 Sitting Bull returned to the United States, where the government ordered him to the Standing Rock Indian Reservation. There he remained steadfast to his obligations as a Lakota chief, personifying strength, intelligence, and generosity. Utley allows readers to revisit the life and times of Sitting Bull, a leader who devoted himself to his people.—*Joseph C. Porter, Arlington, Texas.*

Shoshoni Chronicle

Thunder Over the Ochoco, volume one, by Andrew Gale Ontko. (Maverick Publications, PO Box 5007, Bend, Oregon 97708. $16.95 paper bound.)

This first volume of a projected four-volume history of the central Oregon Shoshonis covers the tribe from the pre-Columbian era through the collapse of the fur trade in 1840. Part I of this volume explores the general ethnology of the Uto-Aztecan family, the interrelations of the various tribal groups, and early European exploration.

Author Andrew Gale Ontko asserts that the ancestors of all the Uto-Aztecan people settled in central Oregon in prehistoric times. A prolonged drought, starting about 840 AD, forced most of them to leave. Those migrating tribes, including the Aztecs, Utes, Paiutes, Hopis, Bannocks, and Comanches, spread over much of the West and Southwest. Later, the more aggressive Columbia Basin tribes forced

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the remainmg Shoshonis out of the area as well.

After getting the horse, the Shoshonis returned, ultimately dominating the expanse from the Wind River Mountains to the Cascades. The center of their power was in the Deschutes River valley and the Ochoco, Wallowa, and Blue mountains. Operating from that stronghold, they were the terror of the trappers and the traders. Ontko examines the early Northwest ventures of the Spanish, Russians, and British and their resulting interaction with the Shoshonis

BOOKNOTES

Mexico Marches Modern by John C. Rucker. Dover Publications Inc., 31 East 2nd Street, Mineola, New York 11501. $7.95 paper bound.

Reprint of Rucker's chronological study of the American Southwest, first published as part of the Bureau of Ethnology's 1887 report to the Smithsonian Institution.

The Zuñi Indians and Their Uses of Plants by Matilda Coxe Stevenson. Dover Publications Inc., 31 East 2nd Street, Mineola, New York 11501. $ [illegible] paper bound.

Valuable study of how Zuñis used plants for food, medicine, religious and ceremonial purposes. Extensively illustrated. First published as part of the Bureau of Ethnology's 1904 report to the Smithsonian Institution.

Custer and the Little Bighorn: Letters from the Battlefield [illegible] Morgan. Book Reviews, University of Nebraska Press, 312 North 14th Street, Lincoln, Nebraska 68588-0484. $17.95 cloth. [illegible] $11.95 paper bound.

Compilation of letters written by participants in the battle of the Little Bighorn in 1876, where Sioux and Cheyenne warriors wiped out most of Custer's Seventh Cavalry, and the battle of Isandhlwana in South Africa in 1879 were Zulus overwhelmed the British. Each engagement was the last major victory for [illegible] warriors.

Geronimo's Story of His Life as told to S. M. Barrett. University of Nebraska Press, 1995. Map. Notes. Appendix. Index. 312 North 14th Street, Lincoln, Nebraska 68588-0484. $12.95 paper bound.

Reprint of the 1906 biography of the famous Apache warrior. Includes an Oregon Territory.

The Diary of Private Peter Copeland, First Iowa Volunteer Infantry by Captain Randolph B. Marcy. Patrice Press, Box 240, Madison Avenue, New York, New York 10028. $ [illegible] paper bound.

Reprint of Marcy's 1859 guidebook for travelers in the West. Originally published at the expense of the war department, Marcy based the work on his own [illegible] years in the field.

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The second, and larger, portion of the book deals with fur trading activities and early Christian missionary endeavors. Ontko discusses in detail the roles of the various fur companies and independent trappers. He deals with competition and conflict between the companies and the Indians largely in terms of the Shoshonis and their geographic region. He discusses other tribes and trapping activities only as they affect the primary thesis.

The first section of the book is somewhat conjectural about the Shoshonis' pre-history. The author integrates selected archaeological and ethnological studies with data from his interviews with Great Basin and Columbia Plateau Indians. The resulting theory of Shoshoni history is unorthodox and will no doubt be controversial. The same is true of Ontko's contention that early Spanish and Russian overland expeditions penetrated the region. Currently accepted theory, based on available evidence, suggests that northern California and central Utah were the northern limits of Spanish overland penetration. While short-lived Spanish settlements existed at Nootka Sound and Neah Bay, they were marine-based. The Russians too, appear to have limited themselves to coastal trade.

The second section of the book is less controversial, as it is based largely on standard, published primary and secondary sources. The author extracted pertinent data from those works, then integrated them into an excellent study of the history of central Oregon before 1840.

Unfortunately, most of the documentation is limited to author, title, and page number, and there is no bibliography. That makes it difficult to locate specific references, particularly if they are available in more than one edition. While this book is well-written and eminently readable, it is more for pleasure than research.—*Murray L. Carroll, Anacortes, Washington.*

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Doc's Woman

By CHUCK PARSONS

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Mary Katherine Harony, also known as "Big Nose Kate" Elder, in 1895. She was once Doc Holliday's girlfriend and was in Tombstone, Arizona, at the time of the OK Corral shootout.

One fascinating aspect of Doc Holliday's legendary life is his tempestuous relationship with frontier prostitute "Big Nose Kate" Elder. Jim Vejvoda, Los Angeles, California, wants to know more about Kate.

Big Nose Kate was in Tombstone, Arizona, at the time of the gunfight at the OK Corral, October 26, 1881. Research, primarily by Glenn G. Boyer, has made her story available.

Kate's real name was Mary Katherine Harony. When applying for admission to the Prescott, Arizona, Pioneers' Home in 1931, she said she was born November 7, 1850, at Davenport, Iowa. In reality she was born in Budapest, Hungary; alien status would have disqualified her from the home.

The Harony family moved to the United States in May 1863. The parents died in 1865, and two years later Mary ran away from home. Assuming the name of Kate Fisher, she was married, perhaps to a man named Silas Melvin; the husband and their son soon died and Kate headed west.

Kate appeared in Wichita, Kansas, where records show she paid a fine for working in a "sporting house" run by Bessie Earp, the wife of Wyatt's older brother James. She was apparently Wyatt's favorite girl at the place until he dumped her, something for which she permanently carried a grudge against Wyatt. The 1875 census listed Kate Elder, presumably the same Kate Fisher, as a twenty-four-year-old woman from Iowa working in Tom Sherman's dance hall in Dodge City. Kate was still in Dodge City in 1878, but soon left for Las Vegas, New Mexico Territory. A year later she and Doc headed for Arizona Territory. She and Doc probably met in Wichita or Dodge City.

After Doc's death on November 8, 1887, Kate married a George M. Cummings in 1888 and returned to Cochise County, Arizona. By 1896 she had left Cummings. From 1900 to 1930 she was housekeeper for John J. Howard at Dos Cabezas, Arizona. In 1931 she entered the Prescott Pioneers' Home and died there November 2, 1940.

As Mary Cummings she left a memoir to counter Wyatt Earp biographer Stuart N. Lake's depiction of her. She was hostile to Lake's book, *Wyatt Earp, Frontier Marshal*, published in 1931; she said it was "all wrong and only hearsay." The book was not complimentary to Doc's paramour, and she resented it. She hoped to "set these stories right," as well as make money. She failed in both respects, as she was unable to sell her story and the public's perception of "Big Nose" Kate became deeply ingrained as Lake presented it. In the memoir she claimed she and Doc first met Wyatt and his wife Mattie in Fort Griffin, Texas, in 1876, intimating she had not known Wyatt before.

Exactly why Holliday and Earp were such close friends Kate does not say, even if she knew. Wyatt's second wife, Josephine Sarah Marcus Earp, related that Doc had "probably saved his life in Dodge City when he was on the police force there."

Glenn G. Boyer's authoritative articles on Kate include "Frontier 'Lost Person' Found," published in the November 1992 issue of *True West*.

Stage Fare

In the February 1994 *True West* I discussed the difficulty determining the price of stagecoach travel in the Old West. The distance, itinerary, and time period were just a few of the variables.

Ross G. Morris, Kingsland, Texas, has shared information with me to help answer the question. He found a sample fare rate in the book *Throw Down The Box* by George A. Thompson. In Arizona Territory in the early 1880s, passengers would pay twelve dollars to go thirty miles between Yuma and Castle Dome. From Yuma to Centennial, 130 miles, the fare was thirty-five dollars. A trip from Yuma to Willow Springs, 198 miles, cost forty-two dollars, and one from Yuma to Prescott, 220 miles, cost fifty dollars.

Per mile, the closer the destination the costlier the trip. The run from Yuma to Prescott cost forty-five cents per mile. An eight-mile ride from Yuma to Laguna, the first stop on the run, cost five dollars, or $1.60 per mile.

The Reagans of Texas

Andrew L. Reagan, Jr., Montverde, Florida, once read of a famous Texan named Reagan and wants to know more about him. "I know of several...[places] in Texas named Reagan. Where did they come from?" asks Mr. Reagan.

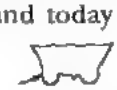
John H. Reagan (1818–1905) was born in Tennessee but moved to Texas in 1839. Over the next decade he developed a reputation as an outstanding lawyer. In 1851 he was elected district judge and then won a seat in Congress despite opposition from Sam Houston.

In 1861 he was elected to the Texas secession convention and sent to the Confederate Congress. Jefferson Davis appointed him postmaster general. In the last weeks of the Civil War, he became secretary of the treasury. Reagan continued in public service after the war until his death on March 6, 1905.

Reagan County, in west Texas, was named for John Reagan. White settlers first visited there in the 1880s. P.H. Coates, who built the first house in the area in 1894, established a sheep ranch and was among the first to use windmills and wire fencing.

Stiles was the Reagan County seat until the railroad bypassed it; Big Lake became the county seat in 1925. J. Marvin Hunter, founder of *Frontier Times* magazine, began publishing the *Stiles Journal* in May 1907. In May 1923 the success of the Santa Rita oil well resulted in a boom in the county which created new towns. Today the county's economy is based on cattle and oil.

The town of Reagan, Texas, founded in 1873 in Falls County, was named for another man, William R. Reagan, who donated land for the townsite. The town is about fifty miles southeast of Waco and today has about 200 people.



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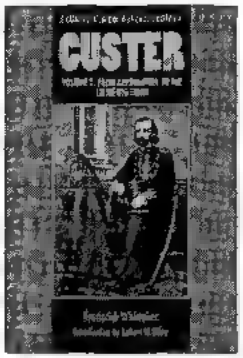

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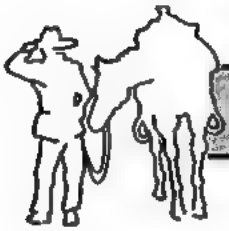

Trails Grown Dim

Cumley

I am seeking information about my great-grandparents and their families. James Alfred Cumley was born in 1833 in Green County, Pennsylvania. He died in 1908 in Clarinda, Iowa. His wife, Martha Francis Hayes, was born in 1835 in Tennessee and died in 1909 in Clarinda.

I am not sure of their wedding date, but they settled in the Clarinda area, probably in the 1850s. They had six children, five girls and one boy. Lib was born February 1, 1858, Emma, August 13, 1859; John, March 27, 1862; and twins Tilda and Dilla, November 2, 1863. My grandmother, Lucy, was born April 30, 1867.

Martha Francis Hayes was supposedly related to President Rutherford B. Hayes. I would appreciate information about any of these people.—*Fred W. Johnson, 44011 Southeast 78th Street, Snoqualmie, Washington 98065.*

Earp

I am looking for information about Earnest Earp, who lived in Oklahoma and compiled a wealth of information about Earp genealogy during the 1960s. He was gathering information about the Earps to write a book. I would appreciate any information.—*Donald Earp Preston, 2922 Marion Avenue, Texarkana, Texas 75501.*

Baysinger-Waddams

I am looking for information about Mary Jane Baysinger Waddams or any Baysinger descendants. Mary Jane was born in Stephenson County, Illinois, near Waddams Grove, in 1829. At age fourteen Mary Jane married Wilson Waddams. They lived at Waddams Grove, then moved to Iowa in the early 1850s. In 1859 they followed the gold rush to Colorado, then moved to Bannack, Montana, in 1862.

My grandmother's maiden name was also Baysinger. She and my mother traced the Baysinger family tree back to 1614 in England. I would like to hear from anyone with information about the Baysinger family.—*Art Tessendorf, 1611 Rock Grove Road, Orangeville, Illinois 61060.*

Sparhawk

I am looking for information about the Sparhawk family, particularly a man named Arthur Sparhawk. My great-uncle's last name was Sparhawk and I believe his first name was Arthur. I have little information about him and do not even know his birth or death dates.

I have read of an Arthur M. Sparhawk who was a detective with the Wyoming Stock Growers Association and later the sheriff of Fremont County, Wyoming, but I do not know if he was the same Arthur Sparhawk. I would appreciate hearing from anyone with information about the Sparhawk family.—*Harriette B. Trettenero, 4920 Appian Way, El Sobrante, California 94803.*

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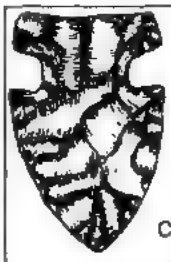

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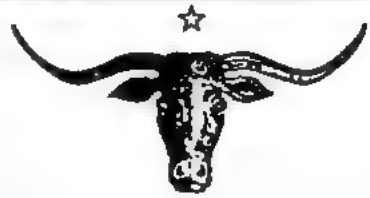

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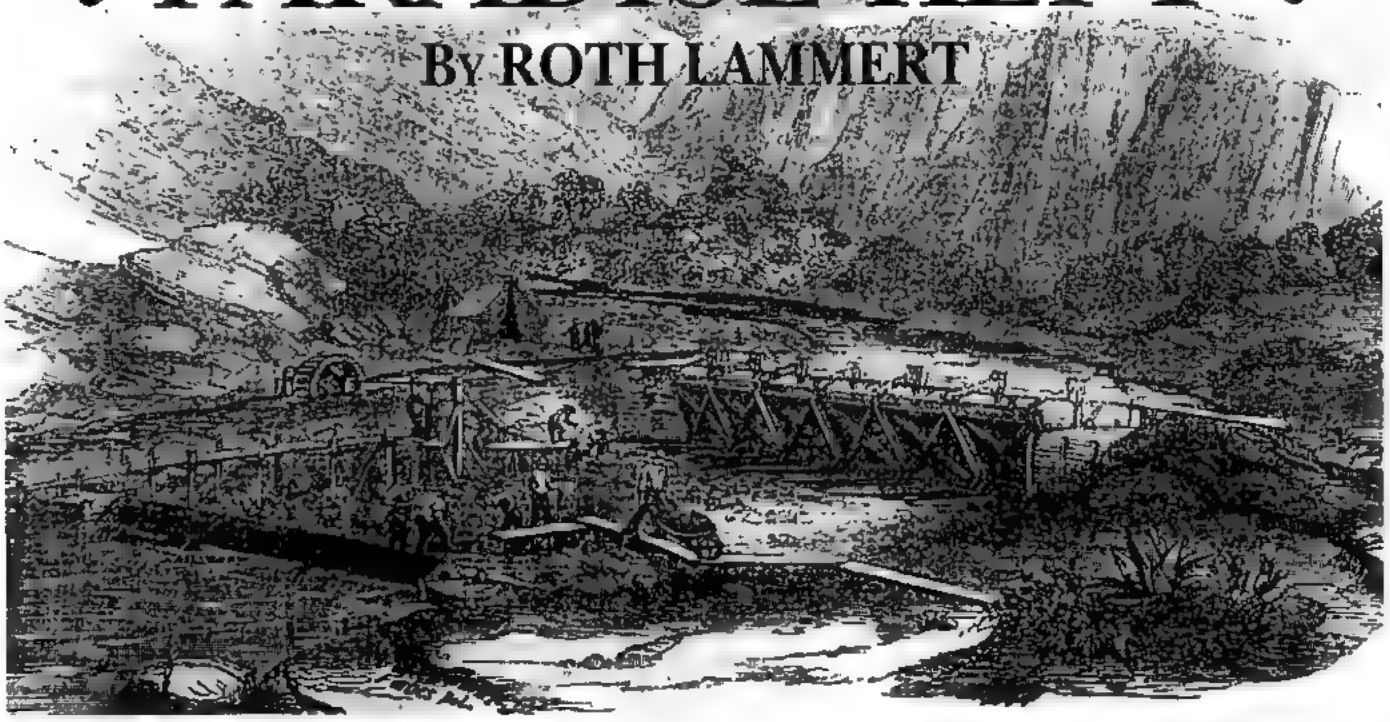


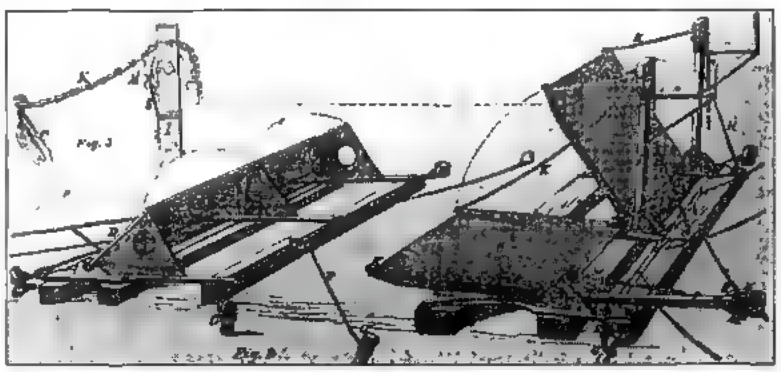
Scientific American Weekly

An illustration of miners using a portable dam

During the gold rush of 1849, greedy men came up with many ideas to reap treasure from the paradise of California. One of the most frightening for California's environment, however, was a portable dam that could lay bare golden-sanded river beds and divert and redirect the courses of rivers.

R.V. DeGuinon, of New York, invented the sectional dam, which was a most ingenious device. During the dry season it could change the course of almost any river to expose the river bed. In the wet season all of the vertical parts and gates could be laid horizontally with the bed of the river to allow the water to pass over freely without injuring the dam. If a transient freshet occurred, one or more sections of the dam could be lowered to allow the increased volume of water in the stream to pass by.

The dam consisted of two parts: the head, or upper breakwater part, and the lower, or backwater part. Water could be directed from its course to one side by a short canal. The diverted water drove a water wheel that operated a pump to draw up and discharge water that might be enclosed or that seeped between the upper and lower parts of the dam. With the bed exposed, miners could load wheelbarrows with the gold residue and wheel it to the canal to be washed there or in the stream behind the dam.



Scientific American Weekly

A diagram of R.V. DeGuinon's portable dam.

The dams were really quite simple. Stakes, fastened to heavy sleepers, were driven into the stream banks. A strong sill was fastened to the sleepers of the upper part of the dam and another to the sill or cross bearer on the lower part. Chains secured the dam to the stakes. The posts of

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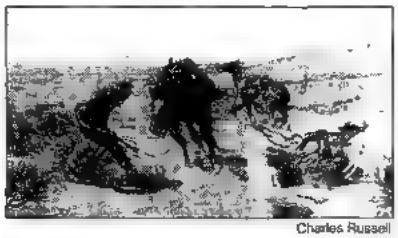

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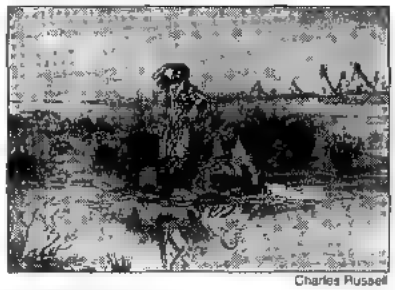

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the windlasses were secured to a strong cross bolster beam. The windlasses raised and lowered the gates which formed parts of the dam. Chains connected the windlasses to the gates, which also had pivot joints resting in the bearing boxes of the sills. The dams had crank handles

R.V. DeGuinon, of New York, invented the sectional dam, which was a most ingenious device. During the dry season it could change the course of almost any river to expose the river bed.

for winding up the chains of the drum of the windlass on which a pawl and ratchet wheel operated. The dam was made in sections and could be operated and managed with great ease.

A windlass lifted up the gate and kept it in position, forming a vertical lock gate. On the lower, or backwater half of the dam, the gates rested on triangular bridges. Those gates had hinged bottoms and were raised into their places to lie on the bridges, which were also raised and lowered by chains. Those gates, resting on axles, were raised and lowered with comparative ease.

The dam was composed of two distinct parts and could either be set across the whole breadth of a stream or only halfway across. In the latter case, the upper and lower parts of the dam would be connected or walled in with a third section to form a side. Also, four sides could be made of like sections to form a portable coffer dam.

At the time, the invention was proclaimed of great importance, not only to California, but to the whole world. Mass production, however, was not so easy in those days. The few dams that were made before gold fever simmered down did not succeed in ruining the paradise of California's rivers.

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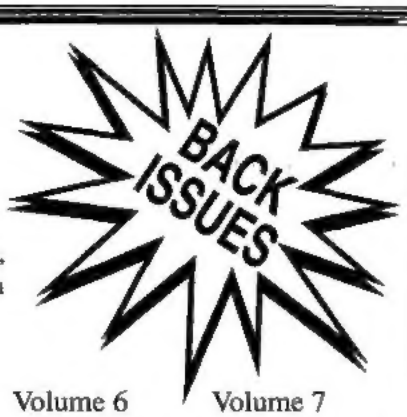

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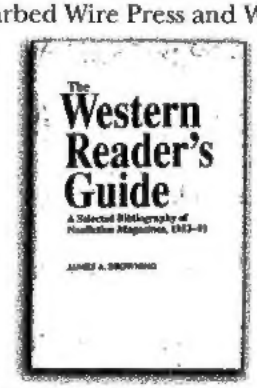

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